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# Change Notice

DIRECTIVE AFFECTED: 5100.07  
CHANGE NOTICE NUMBER: 1  
DATE: 2/17/2000

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1. **PURPOSE AND SCOPE.** To revise Program Statement 5100.07, the **Security Designation and Custody Classification** Manual.

2. **SUMMARY OF CHANGES.** The following changes have been made and are noted by an (\*) asterisk. An asterisk may note either added, revised, or deleted text.

- The procedure for scoring the male History of Violence item, when there is more than one incident of violence, has been clarified.
- Examples provided with the minor History of Violence item have been modified (Tables 5-5, 6-6, 8-5, and 9-6).
- Text references regarding completion of the EMS 409 have been updated consistent with the form.
- Text regarding an automatic SENTRY prompt for the female Percentage of Time Served item has been deleted.
- Redundant text in Chapter 9, page 11 has been deleted.
- Text regarding CCC failures has been modified in accordance with an Executive Staff decision.
- Transfer codes have been modified.
- Appendix F has been updated.
- Additional grammar, numbering, and technical changes have been made, including:

- Male BP-337 and BP-338: Data-entry codes have been added to the History of Escape or Attempts and Precommitment Status items.
- Female BP-337: the numbering in the Security Designation Data section has been adjusted consistent with the text.
- Female BP-338: the numbering in section B, Base Scoring, has been adjusted consistent with the text.

3. **TABLE OF CHANGES**

Remove	Insert
Table of Contents	Table of Contents
Chapter 5, Pages 9-12	Chapter 5, Pages 9-12
Chapter 5, Page 17	Chapter 5, Page 17
Chapter 6, Pages 13-14	Chapter 6, Pages 13-14
Chapter 6, Page 17-18	Chapter 6, Page 17-18
Chapter 7, Pages 9-10	Chapter 7, Pages 9-10
Chapter 8, Pages 5-8	Chapter 8, Pages 5-8
Chapter 8, Pages 11-12	Chapter 8, Pages 11-12
Chapter 8, Pages 21-22	Chapter 8, Pages 21-22
Chapter 9, Pages 7-12	Chapter 9, Pages 7-12
Chapter 9, Pages 17-18	Chapter 9, Pages 17-18
Chapter 9, Pages 21-22	Chapter 9, Pages 21-22
Chapter 10, Pages 7-8	Chapter 10, Pages 7-8
Chapter 10, Pages 23-25	Chapter 10, Pages 23-25
Appendix F	Appendix F, Page 1-2

4. **ACTION.** File this Change Notice in front of the Program Statement, Security Designation and Custody Classification Manual.

/s/  
Kathleen Hawk Sawyer  
Director



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# Program Statement

OPI: CPD  
NUMBER: 5100.07  
DATE: 9/3/99  
SUBJECT: Security Designation and  
Custody Classification  
Manual

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1. **PURPOSE AND SCOPE.** To transmit a Manual of policy and instructions for designating and redesignating inmates. Inmates will be designated/redesignated to institutions based on:

- # security criteria,
- # inmate program needs, and
- # other correctional administrative factors.

This Manual also provides instructions regarding inmate custody classifications.

2. **PROGRAM OBJECTIVES.** The expected results of this program are:

- a. Each Bureau institution will be assigned a security level based on established criteria.
- b. Inmates will be placed in facilities commensurate with their security and program needs through an objective system of classification.
- c. Inmates and staff will live and work in environments made safer by objective inmate classification guidelines applied with sound correctional judgment.
- d. The public will be protected from undue risk.
- e. Planning and development of new institutions will be enhanced by reliable data based on the security needs of the Bureau's inmate population.

### 3. DIRECTIVES AFFECTED

#### a. Directive Rescinded

PS 5100.06      Security Designation and Custody  
Classification Manual (6/7/96)

#### b. Directives Referenced

PS 1280.10      JUST, NCIC, & NLETS Systems Users Guide  
(4/19/96)

PS 1434.06      Jurisdiction on Escape Related Issues -  
Memorandum of Understanding USMS/FBI/BOP  
(7/25/94)

PS 5070.11      Study and Observation Report (12/31/97)

PS 5070.10      Responses to Judicial Recommendations and  
U.S. Attorney Reports (6/30/97)

PS 5110.12      Notifications of Release to State and Local  
Law Enforcement Officials (1/21/98)

PS 5130.05      Detainers and the Interstate Agreement on  
Detainers (2/10/94)

PS 5141.02      Sex Offender Notification and Registration  
(12/14/98)

PS 5162.01      Mariel Cuban Detainees (7/13/95)

PS 5180.04      Central Inmate Monitoring System (8/16/96)

PS 5215.04      Youth Corrections Act (YCA) Inmates and  
Programs (9/23/93)

PS 5216.04      Juvenile Delinquents/Juvenile Justice and  
Delinquency Prevention Act of 1974 (10/14/98)

PS 5270.07      Inmate Discipline and Special Housing Units  
(12/29/87)

PS 5280.08      Furloughs (2/4/98)

PS 5390.07      Intensive Confinement Center Program  
(4/24/96)

PS 5550.05      Escape from Extended Limits of Confinement  
(3/27/96)

PS 5553.05      Escapes/Deaths Notifications (9/17/97)

PS 7300.09      Community Corrections Manual (1/12/98)

PS 7310.04      Community Corrections Center (CCC)  
Utilization and Transfer Procedure (12/16/98)

### 4. STANDARDS REFERENCED

a. American Correctional Association Standards for  
Administration of Correctional Agencies: 2-CO-4B-01

b. American Correctional Association 3rd Edition Standards for  
Adult Correctional Institutions: 3-4283, 3-4287

c. American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities: 3-ALDF-4B-01, 3-ALDF-4B-02, 3-ALDF-4B-02-01

d. American Correctional Association Standards for Adult Correctional Boot Camp Programs: None

5. **BACKGROUND.** A task force was established in January 1977 by the Executive Staff to study the Bureau's inmate classification procedures. The findings of the task force revealed classification inconsistencies and a need to develop a system which would ensure appropriate designations, as well as a method of assigning custody levels that would place an inmate in the least restrictive environment which would provide appropriate control.

The first Manual was issued in February 1979, and updated in July 1980 and again in December 1982. In October 1989, the Executive Staff approved major changes in the system to address changes in the inmate population, the Comprehensive Crime Control Act of 1984, and increasing public sensitivity to specific classification issues. In January 1991, the Manual was published, and after closely monitoring the impact of the new system, another update was published on June 15, 1992. In June 1994, a major revision to the manual was made to incorporate changes to the female classification system. In March 1996, significant updates and revisions to the Manual were made including the establishment of an expiration date for most Management Variables and a new Public Safety Factor entitled "Prison Disturbance."

This updated Manual is the incorporation of several Executive Staff decisions, workgroup recommendations, and field input. The Manual has also been restructured for clarity.

In June 1997, a Classification Workgroup was formed to re-validate the inmate classification system. In keeping with major revisions to the female classification process in 1994, the Phase I elements of the workgroup focused on the process for male inmates. Changes are based on several factors including professional experience, significant research analysis by the Office of Research and Evaluation, and trial reclassification.

The research analysis highlighted significant factors in the prediction of serious misconduct. Improvements enhance the ability to assess the risk of male inmates' involvement in violent misconduct at a rate of approximately 15% greater than the Bureau's most recent system. The incorporated changes

signify the most extensive modifications affecting male classification since the inception of the Bureau's system in the 1970s.

The Classification Workgroup continues to gather and analyze research data, interact with classification professionals in the institutions, and revalidate the inmate classification system.

The continued analysis will lead to greater improvements for Phase II, and beyond, of the male and female classification systems.

The intent of the Security Designation and Custody Classification system is to provide staff an opportunity to use professional judgment within specific guidelines. While the system is flexible, the manual provides a basis for more consistent decision-making across the Federal Bureau of Prisons.

6. **ACTION.** Designation and custody classification decisions shall be made in accordance with the guidelines in this Manual. This Manual shall be effective 45 days from the date of issuance. Implementation for each inmate shall occur in accordance with his or her regularly scheduled custody review.

/s/

Kathleen Hawk Sawyer  
Director

<b>TABLE OF CONTENTS</b>
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Introduction . . . . .	Chapter 1
Definitions . . . . .	Chapter 2
Security Designation Procedures for New Commitments . .	Chapter 3
Designation to Non-Federal Facilities . . . . .	Chapter 4
* Inmate Load and Security Designation Form . . . . .	Chapter 5
Instructions (Male) BP-337	*
* Inmate Load and Security Designation Form . . . . .	Chapter 6
Instructions (Female) BP-337	*
Public Safety Factors and Management Variables . . . .	Chapter 7
Custody Classification Form Instructions Male (BP-338)	Chapter 8
Custody Classification Form Instructions Female(BP-338)	Chapter 9
Inmate Transfer . . . . .	Chapter 10
Sentence Procedures . . . . .	Appendix A
Offense Severity Scale . . . . .	Appendix B
Institution Missions . . . . .	Appendix C
Waiver for Misdemeanants . . . . .	Appendix D
Standard Abbreviations/Terms (BP-337) . . . . .	Appendix E
Parolable Institutions . . . . .	Appendix F
Request for Transfer/Application of Management . .	Attachment A
Variable (EMS 409)	



## INTRODUCTION

Bureau of Prisons institutions are grouped into security levels: **MINIMUM, LOW, MEDIUM, HIGH**, plus an **ADMINISTRATIVE** category. Seven factors are required to support an institution's security level:

- # mobile patrol,
- # gun towers,
- # perimeter barriers,
- # detection devices,
- # internal security,
- # housing, and
- # inmate-to-staff ratio.

Upon receipt of the U.S. Marshals request to place an inmate at a Bureau institution, the Community Corrections Manager assesses the offender's security and program needs, as well as other administrative factors unique to a correctional environment.

The assignment of an inmate to a particular institution is based upon:

The level of security and supervision the inmate requires;

The level of security and staff supervision the institution is able to provide;

The inmate's program needs, i.e., substance abuse, educational/vocational training, individual and/or group counseling, medical/mental health treatment; and,

Various administrative factors such as, but not limited to,

- ! level of overcrowding,
- ! the inmate's release residence,
- ! judicial recommendations,
- ! separation needs,
- ! increased security measures to ensure the protection of victims/witnesses and the public in general.

There are two distinct systems of classification; one for male and one for female offenders. While each classification item is reviewed for each gender, different points may be assessed for the item. The point difference is a result of research conducted

which indicates that men and women do not react the same in similar situations.

Initial designations to Bureau (**or** BOP) institutions are accomplished by:

- (1) Community Corrections Managers entering information into a computer database (SENTRY) to compute a security score, and
- (2) Regional and/or Central Office Designators designating an institution based on the score.

A Security/ Designation Data form is required for any inmate with a sentence exceeding **30 days**. Designations to non-federal facilities may also be completed by Community Corrections Managers. Redesignations (transfers) from one Bureau institution to another are also accomplished by Regional and Central Office staff based upon many of the same factors used at the time of initial designation.

The Custody Classification Form (BP-338) may indicate reduced or increased security requirements based on consideration of both pre-commitment and post-commitment variables. Four inmate custody levels are established: **MAXIMUM, IN, OUT, and COMMUNITY**. The lowest level of custody, **COMMUNITY**, is ordinarily reserved for those inmates who meet the qualifications for participation in community activities.

This Manual establishes guidelines for designating the place of imprisonment for each individual. These guidelines are consistent with statutory authority as contained in 18 U.S.C. § 3621(b). All designation and transfer decisions are made without favoritism given to an individual's social or economic status.

<b>DEFINITIONS</b>
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**ADMINISTRATIVE INSTITUTIONS.** Institutions with special missions. Inmates are assigned based on factors other than security and/or staff supervision (for example, medical/mental health, pretrial and holdover). Administrative institutions are designed to securely house all security level inmates.

**CASE MANAGEMENT COORDINATOR (CMC).** Each institution has a Case Management Coordinator. The CMC assists other department heads and members of the administration relative to correctional programs issues, serves correctional programs line staff as an expert in correctional programs policy, and is a resource person when addressing inmate program issues.

**CENTRAL INMATE MONITORING (CIM).** The Bureau monitors and controls the transfer, temporary release, and community activities of certain inmates who present special needs for management. Such inmates, known as Central Inmate Monitoring cases, require a higher level of review. A higher level of review is required prior to any inmate movement away from the institution.

**CLASSIFICATION.** The systematic subdivision of inmates into groups based on their security and program needs.

**COMMUNITY CORRECTIONS MANAGER (CCM).** Community Corrections Managers are responsible for all functions, programs, and services related to community corrections in their assigned judicial districts. This includes Community Corrections Centers (CCCs/halfway houses), local jail facilities, and Home Confinement.

**COMMUNITY CUSTODY.** The lowest custody level assigned to an inmate which affords the lowest level of security and staff supervision. An inmate who has Community custody may be eligible for the least secure housing, including any which is outside the institution's perimeter, may work on outside details with minimal supervision, and may participate in community-based program activities if other eligibility requirements are satisfied.

**CONTRACT FACILITY.** A state or local prison, institution, facility, jail, or other non-federal enterprise that contracts with the Bureau to house federal inmates (i.e., Community Corrections Center). Contract facilities are contracted and supervised by the CCMs.

**CURRENT OFFENSE.** For the purpose of classification, the current offense is the most severe offense for which the inmate is satisfying his or her legal confinement obligation. For multiple offenses, the highest score will be used in scoring the current offense. Staff shall consider the offense behavior on all sentences, including federal sentences that have a future beginning date or a previous D.C. or state sentence if there was no **physical** release from custody. If there was a physical release, then that offense behavior is considered a prior commitment.

**CUSTODY CLASSIFICATION.** The review process to assign a custody level based on an inmate's criminal history, instant offense, and institutional adjustment. A custody level (i.e., **COMMUNITY**, **OUT**, **IN**, and **MAXIMUM**) dictates the degree of staff supervision required for an individual inmate.

**D.C. CONVERSION CASE.** An inmate serving a federal sentence in Bureau custody who has a consecutive D.C. sentence (or a concurrent D.C. sentence which will extend beyond the release date of the federal sentence).

**DESIGNATION.** An order from the Regional Office, Central Office, Community Corrections Manager (CCM), or Central Office Medical Designator, in the Office of Medical Designations and Transportation, (OMDT) indicating the initial facility of confinement for an inmate.

**DESIGNATION FACILITY (DFCL).** Each of the separate missions within an institution for designation purposes. Each DFCL is shown as a separate line on the Population Report and has its own security level and destination (DST) assignment. Designations are made to a DFCL code rather than to a facility (FACL) code.

**JUDGMENT.** The official court document (e.g., Judgment and Commitment Order or Judgment in a Criminal Case) which is signed by the Judge stating a conviction and ordering a sentence.

**HISTORY.** The inmate's entire background of criminal convictions and disciplinary history, excluding the current term of confinement.

**IN CUSTODY.** The second highest custody level assigned to an inmate which requires the second highest level of security and staff supervision. An inmate who has **IN** custody is assigned to regular quarters and is eligible for all regular work assignments and activities under a normal level of supervision. Inmates with **IN** custody are not eligible for work details or programs outside the institution's secure perimeter.

**MANAGEMENT SECURITY LEVEL (MSL).** Management Security Level is the security level assigned by the Regional Director or Designee to an inmate upon application of any of the following Management Variables:

- # PSF Waived;
- # Greater Security;
- # Lesser Security.

Based on these Management Variables, the Management Security Level will normally be one security level greater or lesser than the scored security level.

**MANAGEMENT VARIABLES.** Management Variables (MGTVs) reflect and support the professional judgment of Bureau staff to ensure the inmate's placement in the most appropriate level institution. Management Variables are required when placement has been made and/or maintained at an institution level inconsistent with the inmate's security score – a score which may not completely/accurately reflect his or her security needs.

**MAXIMUM CUSTODY.** The highest custody level assigned to an inmate requiring the highest level of security and staff supervision. An inmate with Maximum custody requires ultimate control and supervision. This classification is for individuals who, by their behavior, have been identified as assaultive, predacious, riotous, serious escape risks, or seriously disruptive to the orderly running of an institution. Accordingly, quarters and work assignments are assigned to ensure maximum control and supervision.

**MISDEMEANANT.** An inmate convicted of an offense for which the maximum penalty is one year or less. Such inmates may not be transferred to a High security institution without first signing a waiver. 18 U.S.C. § 4083 prohibits placement of such inmates in "penitentiaries" without their consent; however, the Bureau broadens that prohibition to include any High security institution. A sample of the waiver is provided in Appendix D.

**OUT CUSTODY.** The second lowest custody level assigned to an inmate requiring the second lowest level of security and staff supervision. An inmate who has **OUT** custody may be assigned to less secure housing and may be eligible for work details outside the institution's secure perimeter with a minimum of two-hour intermittent staff supervision.

**PAROLE, MANDATORY RELEASE, OR SPECIAL PAROLE TERM VIOLATOR.** Violators are inmates who were released from Bureau custody to the supervision of a U.S. Probation Officer (USPO) and are

suspected of violating the conditions of their release. These violators are returned to Bureau custody and are required to have a parole hearing within certain time limits. The purpose of this is to provide the inmate with an in-person hearing before the U.S. Parole Commission (USPC) to determine if the inmate has violated the conditions of parole, mandatory release, or special parole. Therefore it is necessary to temporarily place these individuals at parolable institutions in order to conduct parole hearings.

**PRIOR COMMITMENT.** A period of incarceration (for any length of time) served previous to the present period of incarceration. For classification purposes, the inmate must have been **physically** released from custody for a sentence to be considered a prior commitment. For example:

An inmate serving a D.C. or state sentence in federal custody with a consecutive federal sentence - once the inmate begins serving the consecutive federal sentence, the D.C. or state sentence is not considered a prior commitment since the inmate remains in continuous confinement; likewise, no "history" points are assessed. Additionally, if the state sentence is a greatest severity offense level, the greatest offense would continue to be "current offense."

For consistency, it does not make any difference where the inmate serves the D.C. or state sentence. If an inmate is serving a sentence in D.C. or state custody and meets the above criteria, then the D.C. or state sentence would still be considered the "current offense." However, if the chain of custody is better described in the below example, then the D.C. or state sentence would be considered a prior commitment.

An inmate serving a D.C. or state sentence in D.C. or state custody releases from the sentence, the USMS assumes custody, then the inmate is released on bond - the state sentence would be considered a prior commitment, and "history" points would be assessed.

**PRIVATIZED FACILITY.** A prison, institution, or other correctional facility that is operated or supervised by a non-governmental entity. Privatized facilities are managed by private organizations or individuals with oversight provided by Bureau staff.

**PUBLIC SAFETY FACTORS.** There are certain demonstrated behaviors which require increased security measures to ensure the protection of society. There are nine Public Safety Factors

(PSFs) which are applied to inmates who are not appropriate for placement at an institution which would permit inmate access to the community (i.e., MINIMUM security). The application of a PSF overrides security point scores to ensure the appropriate security level is assigned to an inmate, based on his or her demonstrated current or prior behavior.

**REDESIGNATION.** The reassignment of an inmate from one institution to another after initial designation. Unit staff submit a request to the appropriate office, and the inmate's case is reviewed for possible transfer. Approval of a redesignation results in an order from the Regional Office, Central Office, or CCM indicating a correctional institution to which an inmate is to be transferred.

**RELEASE RESIDENCE.** The verifiable destination to which an inmate realistically plans to reside upon release from Bureau custody. The inmate is to provide proof of residence to his or her unit staff. Staff shall rely upon the following references to assist in verification: Presentence Investigation Report/USPO verification; telephone and visiting lists; incoming and outgoing mail. Attempts shall be made to place inmates in the most appropriate security level institution within 500 miles from his or her release residence. Based on security needs and population pressures, placement may not always be at the closest institution within a 500-mile radius of a release residence.

**SECONDARY DESIGNATION.** Designation of an institution to which an inmate is to be moved after completion of some treatment, program, or process.

**SECURITY CUT POINT.** The numerical break between inmate security levels.

**SECURITY LEVEL.** Used to describe the structural variables and inmate-to-staff ratio provided at the various types of Bureau institutions (i.e., Minimum, Low, Medium, High). It also identifies the institution type required to house inmates based on their histories, institutional adjustment, and Public Safety Factors as well as the physical security of the institution to include mobile patrols, gun towers, perimeter barriers, housing, detection devices, inmate-to-staff ratio, and internal security.

**STUDY CASES.** Study cases are those inmates committed for a period of study and observation pursuant to 18 U.S.C. §§ 3552(b) or (c), 4241(b) or (d), 4242(a), 4243(a) or (b), 4244(b), 4245(b), 4246(b), or 4247(b) or (c). All inmates committed for study and observation shall be referred to the Central Office Medical Designator in the Office of Medical Designations and Transportation (OMDT) for designation to a facility that can complete the study, considering any specific medical or psychiatric issues which should be addressed. The Central Office Medical Designator should attempt to place the inmate in the most suitable facility compatible with the offender's security and custody needs, closest to the court and available resources.

**TRANSFER.** The actual movement of an inmate from one institution or facility to another.

**UNIT MANAGER.** Each unit team is headed by a Unit Manager who supervises the other primary unit team members which include Case Managers, Correctional Counselors, and Unit Secretaries. Unit teams also include staff representing education, psychology, and other disciplines contributing to an offender's law-abiding lifestyle. The Unit Manager directs the housing unit activities and is responsible for the unit's operation and quality control of all correspondence and programs.

**YOUTH CORRECTIONS ACT (YCA).** Although YCA statutes were repealed effective October 12, 1984, an offender originally committed under these statutes could be returned to custody as a parole violator. Questions concerning the appropriate institution for housing YCA parole violators should be directed to the YCA Coordinator at FCI Englewood, Colorado.



SECURITY DESIGNATION PROCEDURES FOR NEW COMMITMENTS
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No more than three working days should pass from the time all necessary information has been provided by the U.S. Marshals Service (USMS) and the U.S. Probation Officer (USPO) until the Regional Designator or Community Corrections Manager (CCM) requests and provides an initial designation. Ordinarily, CCMs should use **no more than two working days** and the Regional Office **shall complete the designation or refer the case the following work day**. The following is the normal chronology of a designation:

1. The inmate is sentenced.
2. The Clerk of the Court transmits the certified Judgment and Commitment Order (old law cases) or Judgment in a Criminal Case (new law cases) to the USMS.
3. The USMS makes a written request to the appropriate CCM for a designation.
4. If it has not already been provided, the CCM contacts the USPO for two copies of the Presentence Investigation Report (PSI). He or she also requests a certified copy of the Judgment and the Individual Custody and Detention Report (USM-129) from the USMS, if they have not been forwarded to the CCM. Based on a review of the data, the CCM determines whether a non-federal facility should be designated. If a PSI has not been prepared, the CCM shall complete a National Crime Information Center (NCIC) and National Law Enforcement Telecommunication System (NLETS) criminal history check to obtain background information. The CCM shall then load appropriate information on the SENTRY Update Security Designation screen with a notation that no PSI was available. Case Management staff at the designated institution shall contact the USPO and request that a Postsentence Investigation Report be prepared.

Frequently, in cases involving Reentry after Deportation, Presentence/Postsentence Investigation Reports are not prepared. In those particular cases, a Magistrate Information Sheet may be used. A Magistrate Information Sheet is a document prepared by U.S. law enforcement officials. This document contains a summary of the facts related to the defendant's arrest and prior criminal/personal history. This information is primarily obtained through the arresting officer's report, the FBI Rap Sheet and an interview with the defendant.

If more than six months has elapsed since the PSI was prepared, the CCM shall contact the USPO to determine if there is any new or significant information that should be considered. If the offender was a study case before final sentencing, the CCM shall take into consideration the results of that study in completing the designation request. The result of the study may be obtained from a PSI, a summary report, or any other information available.

If offense or background information is not available prior to designation, an inmate must be designated to at least a **Low** security level institution. When information is obtained, the institution may request redesignation, if appropriate.

5. If it is determined that a designation to a non-federal facility is to be made, the procedures outlined in Chapter 4, Designations to Non-Federal Facilities shall be followed.

6. The CCM uses classification material and SENTRY to determine if Central Inmate Monitoring (CIM) precautions need to be taken. This includes a name search to determine if the offender was previously confined under a current or previous register number. If new to the Bureau, the inmate must be loaded into SENTRY and "admitted" to the CCM "facility," with any appropriate CIM assignment(s) entered. The CCM will identify the documents used to support CIM assignments and forward the documents to the designated institution.

7. The CCM shall complete and enter into SENTRY an Update Security Designation (BP-337) form on all cases with terms exceeding 30 calendar days.

The CCM must determine if there is a break in custody when the inmate is transferring to federal custody after service of a state sentence. The CCM usually has access to this type of information for jail credit purposes. If there is no physical release from custody, the CCM will consider the state offense as part of the current term of confinement for classification purposes and will not assign any history or prior commitment points for the state offense.

The CCM shall also identify potential participants for the Intensive Confinement Center (ICC) Program through a notation on the Update Security Designation form under the "Remarks" section. One method of ICC placement occurs when a court recommends an offender's placement in the program at sentencing. In limited circumstances, the CCM may determine that an inmate is appropriate for the ICC Program when the sentencing Judge did not recommend placement on the Judgment in a Criminal Case order. Under these circumstances, the CCM must notify the sentencing

Judge and AUSA before placement. (See the Program Statement on Intensive Confinement Center Program.)

8. Daily, the Regional and Medical Designators will determine which cases require designation by displaying a SENTRY Daily Log for a listing of those cases entered the previous day (also to include weekends and holidays). The Designator displays the Initial Designation Data screen and follows the prompts on the screen. This will lead the Designator through a display of the "CIM Clearance and Separatee Data" screen and "Update Security Designation" form. Lastly, a list of the appropriate security level facilities will appear in the order which is closest to the inmate's release residence and will specifically identify mileage from the offender's identified release residence. The final screen in this series requires that the reason for designation be entered, as well as clearance remarks by the Designator.

Appropriate facilities are designated for inmates considering factors contained in the Update Security Designation form to include Security Level, Public Safety Factors, and Management Variables.

The objective of the Security Designation system is to place each inmate in the lowest security level facility for which the inmate qualifies, normally within 500 miles of the inmate's release residence, while maintaining population balance throughout the Bureau.

To accomplish this, the Designator must consider all information available on SENTRY regarding the inmate, including the Update Security Designation form, the proximity from the inmate's home for each facility in the appropriate level, institution population levels, judicial recommendations, and any information that has been provided by other law enforcement agencies.

In accordance with Rule 38(b) of the Federal Rules of Criminal Procedure, when the court of conviction recommends that the inmate be retained in a place of confinement which will allow the inmate to participate in the preparation of the appeal, the Bureau shall make every effort to place the inmate in such a facility. If a reason exists for not placing the inmate in that facility, the matter is called to the attention of the court and an attempt is made to arrive at an acceptable place of confinement.

"Conviction" refers to the judgment of conviction, which under the rules contains the adjudication of guilt and the sentence.

Regional Directors, or their representatives, shall make every effort to accommodate recommendations from the courts. Precautions must be taken to ensure that the defendant receives a timely opportunity to make application for parole under the rules established by the U.S. Parole Commission, if eligible. This may include a temporary transfer to a parolable facility.

9. SENTRY provides information on the capacity and inmate population in each institution. Specifically, for each facility and each designation facility (DFCL), SENTRY provides the RATED CAPACITY, the DESIGNATION CAPACITY, and the percentage of each that the facility or DFCL currently houses. The RATED CAPACITY is a measure of the capacity for which each DFCL was designed. The DESIGNATION CAPACITY is the equitable proportion of the inmates in a particular security level that each designation facility having that security level should house. The DESIGNATION CAPACITY of each DFCL is based on the rated capacities and population totals of all the DFCLs that have the same security level. The rated capacity and designation capacity for a facility are calculated as the total RATED CAPACITY and DESIGNATION CAPACITY of all the DFCLs that exist within that facility.

Designators will ordinarily use the DESIGNATION CAPACITY as a guide for maintaining population balance and an equitable distribution of inmates. However, for newly activated institutions, Designators may designate that institution for a percentage of initial designations. An activation Operations Memorandum will specify the institution's percentage of initial designations.

10. The Designator assigns a designated facility, considering any Public Safety Factors, CIM information, and Management Variable which may affect placement.

11. Upon completion of the initial designation by the Regional Designator or Central Office Medical Designator, staff in the following areas will make note of the designation by monitoring SENTRY Destination Daily Logs:

- a. The CCM office requesting the designation;
- b. The receiving institution;
- c. The federal facility (MCC, Detention Center, etc.) holding the inmate being designated;
- d. The U.S. Marshals Prisoner Transportation Division in Kansas City, Kansas; and,

e. The Regional Office involved.

The CCM shall inform the USMS who has custody of the inmate of the designation by whatever means is appropriate.

If the inmate is a former study case, the Regional Designator must also inform, via BOPNet GroupWise, the Warden of the institution that completed the study of the designation. This alerts that facility to forward the Inmate Central File and other records to the institution designated.

If there is a secondary designation (e.g., Parole, Special Parole Term, Mandatory Release Violator Hearing, or following medical treatment), the Regional Designator (or Central Office Medical Designator for medical cases) shall notify the Warden of the secondary institution. This will alert the secondary institution that the inmate is designated and will be transported after the program or medical treatment is completed. No other designation notation is needed for a secondary designation.

12. The CCM will check the SENTRY Daily Log for designations. When a designation is made, the CCM forwards all supporting documents to the designated institution within two working days. If the CCM believes that the inmate will arrive at the institution in **less than five calendar days**, the supporting documentation shall be sent to the institution by **overnight mail** or **facsimile** within one working day of the designation.

13. The Case Management Coordinator (CMC) shall monitor all pending arrivals at that facility. However, the CMC may also delegate this responsibility to other appropriate staff. Staff will monitor the Daily Log for that facility, and will print a hard copy of each designation and maintain a copy on file for 120 calendar days. In certain facilities other methods may be just as effective in monitoring pending arrivals. For example, institutions with a large holdover or pretrial population can be monitored more effectively by running a daily pipeline roster filtering out all A-HLD's and A-PRE's.

Staff will also monitor the arrival of classification material, and if such material has not arrived within **10 calendar days** following the designation, the CCM will be contacted to determine the status of that material. Upon arrival of the classification material, the CMC, or designee, will review that material and verify the scoring of the Update Security Designation form (BP-337). If a **scoring issue and/or error** is discovered, the CMC shall contact the appropriate CCM Office via GroupWise with a copy forwarded to the Regional Designator. The CMC may need to fax certain pages of the PSI to the CCM Office so the case can be

appropriately reviewed. If the CCM is not in agreement on the scoring change, the Regional Designator will be contacted for a final decision. Likewise, if the CMC and CCM agree that an error has been made, the Regional Designator will be notified.

The appropriate Regional Designator will also be advised of any **non-scoring errors** or concerns. In either circumstance, if the correction requires a new designation, the CCM will make any necessary changes and the Designator making the original designation shall enter a new designation into SENTRY and immediately notify the originating CCM Office if not already aware of the situation. The CCM shall then notify the appropriate USMS office(s) of the designation change.

Additionally, the CMC shall forward the classification material to the newly designated institution.

14. Institution staff are responsible for monitoring the timely arrival of a newly designated inmate. If an inmate serving a term of one year or more has not arrived at the designated institution within **120 calendar days** from the date of the designation, or if an inmate serving a term of less than one year has not arrived after **30 calendar days**, staff will use SENTRY to determine the inmate's current location:

a. If the inmate is in a Bureau facility, staff will contact that facility to expedite movement or ascertain the reason for delay, and will verify whether the designation continues to be valid.

b. If the inmate is not in a Bureau facility, staff will contact the CCM in the district where the inmate was sentenced. Upon notification, the CCM shall contact the appropriate authorities and ascertain why the inmate has not arrived at the designated institution. If the CCM decides the designation is no longer valid, the CCM shall request that the original designation be canceled.

If the designation is canceled, the packet shall be returned to the CCM, who then shall return the documentation to the originating agency. Prior to canceling a designation, the Designator will enter a comment on the "CIM Clearance and Separatee Data" screen to document the reason(s) for this action. This comment will be the only retrievable documentation available to answer future questions regarding the processing of the case. It may be necessary to administratively admit the inmate in order to enter the comment. The person canceling the designation is also responsible for deleting the associated DST assignment. Staff shall maintain records of their efforts to monitor

designations. These records shall be maintained for a period of 120 calendar days from the date of initial designation.

15. In certain cases, exceptions to regular designation procedures for new commitments are required. Listed below are specific examples where exceptions exist.

a. **Study Cases.** The CCM shall complete an Update Security Designation form and enter it into SENTRY. The CCM shall then notify the Central Office Medical Designator via GroupWise requesting designation. The Central Office Medical Designator shall designate an appropriate institution for the study. After completion of the study and final sentencing by the court, the CCM shall enter a new Update Security Designation form into SENTRY, based on the actual sentence imposed or other new information.

b. **District of Columbia Superior Court Designations.** As a result of the "National Capital Revitalization and Self-Government Improvement Act of 1997" (Public Law 105-33), the Bureau has established a plan to assume responsibility for all District of Columbia (D.C.) sentenced felons no later than December 31, 2001. This plan includes transferring all D.C. inmates from the D.C. Department of Corrections (DC/DC), Lorton Prison Complex, to federal custody and establishing initial designation procedures for inmates sentenced for D.C. Code violations.

1. **Initial Designations.** Prior to December 31, 2001, the Director will identify which security levels of D.C. offenders will be designated, based on available Bureau resources. Inmates sentenced under a D.C. Code Violation, who are direct court commitments, are referred for Bureau designation by the USMS assigned to the District of Columbia Superior Court. These requests for designation are provided to the Baltimore, Maryland, CCM Office, where staff review the sentencing data and enter the designation data into SENTRY. Cases determined inappropriate for Bureau designation are returned to the USMS (Superior Court) with documentation to explain the reason(s) for declining designation. Those D.C. inmates accepted for Bureau designation are assigned a designated facility (DFCL) by the Mid-Atlantic Regional Designator, using SENTRY, the same as if they were federal inmates.

2. **Redesignations from DC/DC to the Bureau.** The D.C. Offender Branch, Central Office, is responsible for approving transfers of DC/DC inmates into Bureau custody. That office will consider each request from the DC/DC for federal placement on an individual basis, consistent with the Director's criteria

regarding available resources. DC/DC staff will submit referrals directly to the D.C. Offender Branch. Referral documentation shall include, but is not limited to:

- (1) Four certified copies of the J&C,
- (2) PSI,
- (3) Institutional records, and
- (4) Complete separation information, if applicable.

The Administrator, D.C. Offender Branch, Correctional Programs Division has been delegated designation authority for these DC/DC referrals. Public Safety Factor (PSF) waivers and other Management Variables (MGTVs) must be approved by the Assistant Director, Correctional Programs Division, or designee. If approved for Bureau transfer, appropriate SENTRY data will be entered by the D.C. Offender Branch staff, and the referral documents shall be mailed to the designated Bureau institution. Additionally, they will notify the USMS (Superior Court) of the designation so appropriate prisoner transportation can be arranged.

**3. State Placement of D.C. Inmates.** Once a D.C. inmate is accepted into Bureau custody, he or she will not be returned to the DC/DC. However, when deemed necessary for security reasons, D.C. inmates may be redesignated to non-BOP facilities by the D.C. Offender Branch, following the procedures described in Chapter 10 of this Manual.

**c. Medical or Mental Health.** CCMs are responsible for receiving and evaluating information pertaining to an initial designation. The CCM must attempt to ascertain whether an inmate requires medical or mental health evaluation or treatment. This information is ordinarily obtained from the PSI or other source documents. If medical or mental health concerns are apparent, the CCM will provide comments in the "Remarks" section of the BP-337 and enter Y (yes) in the OMDT REF item. The CCM shall transmit electronically portions of the PSI pertaining to the medical or mental health concerns, and the Judgment in a Criminal Case, if it includes any judicial recommendations, to the Central Office Medical Designator.

Upon review of the daily log for W DESIG M cases, the Central Office Medical Designator will access the Update Security Designation form in SENTRY and make a designation based on the available information, ordinarily within three working days. When the Central Office Medical Designator determines there are no medical or mental health concerns affecting placement, the Regional Designator shall be advised via GroupWise. The Regional



Designator shall then complete the designation to an appropriate DFCL.

Only the OMDT shall make designations for study cases or for cases requiring medical or psychiatric evaluation or treatment. Designation may be made to any Bureau facility having resources to meet the inmate's needs. The Central Office Medical Designator shall ensure that whenever a designation is made to an DFCL inconsistent with the inmate's security level, the appropriate Management Variable is entered. Administrative facilities are excluded from this requirement.

d. **Military Prisoners.** The Bureau cooperates with the Security, Force Protection and Law Enforcement Division of the Armed Services for the transfer of military prisoners into the Bureau's custody. These cases are coordinated through the Correctional Programs Division, North Central Regional Office, in accordance with the provisions contained in Chapter 10, Section 8.d.

e. **Designation to a Non-Federal or Contract Facility.** Designations to non-federal or contract facilities will be in accordance with the procedures contained in Chapter 4, Designations to Non-Federal Facilities.

f. **Parole, Mandatory Release or Special Parole Term Violator Hearing.** Sometimes it is necessary to place an inmate at a particular institution temporarily in order to have a revocation hearing within certain time limits. A secondary designation is required; however, the initial institution shall consult with the Regional Designator if the results of the inmate's hearing affect the appropriateness of the secondary designation. If a change in designation is not necessary, staff may process the inmate's transfer to the secondary designation.

The Federal Transfer Center (FTC) Oklahoma City, Oklahoma, has been designated as the primary site for institution revocation hearings. The South Central Regional Office (SCRO) has also been identified as the primary office responsible for processing all violator designations.

The SCRO Violator Hearing Liaison shall be responsible for the designation and monitoring of alleged violator cases while at FTC Oklahoma City. For designation purposes, the U.S. Parole Commission (USPC) provides the revocation packet and a copy of the alleged violator's Presentence Investigation Report (PSI) to the SCRO Violator Hearing Liaison. The Violator Hearing Liaison shall complete an initial and secondary post-hearing designation institution and notify via GroupWise, Prisoner Coordination

(Kansas City), the USPC, and the appropriate USMS Office of the institution designated.

Once the designation has been completed, the violator packet will be mailed via certified mail to FTC Oklahoma City, or to the designated institution, if other than FTC Oklahoma City. If, after the hearing, new information causes a change in the secondary designation (i.e., short-term parole date), institution staff shall contact the Violator Hearing Liaison for appropriate action.

Procedures for violators requiring medical treatment are referenced in Chapters 3 and 10. Once the information is reviewed and evaluated by the Violator Hearing Liaison, and it is determined that medical or psychiatric treatment is required, the request for designation will be entered in GroupWise and referred to the Central Office Medical Designator for designation. The Violator Hearing Liaison shall notify the USPC and the appropriate USMS Office of the institution where the inmate was designated via teletype and/or GroupWise. Local hearings will be conducted at a site the USPC determines, normally at or near the place where the alleged violation occurred. Local revocation procedures shall be the same as those outlined for institution revocation cases. However, violators receiving a local hearing will not be assigned a final designation until the USPC Notice of Action has been received and confirmed. In some instances, violators who are granted a short-term release date should be considered for placement in a contract facility.

17. The release to the general public of an inmate's designation or redesignation information is prohibited, for security reasons, until the inmate has arrived at the designated facility. An inmate confined in a Bureau facility however, may be advised of the destination but will not be advised of the date or time of the transfer. Thus, an inmate at an MCC may be advised of the initial designation, but not the date or time of the transfer to that facility. However, caution should be exercised in advising inmates of their destination. For example, if an inmate is being transferred to a higher security institution, or if the opinion of staff indicates there are other security concerns, it may be prudent not to tell the inmate of his or her final designation. Officials such as Judges and members of Congress may be advised of designations in response to official inquiries for their official use.

**Note:**        A SECURITY LEVEL CANNOT BE ASSIGNED BY SENTRY WITHOUT COMPLETING AN UPDATE SECURITY DESIGNATION FORM. If an inmate has not been assigned a security level, SENTRY will automatically use: UNK-security level unknown.

<b>DESIGNATIONS TO NON-FEDERAL FACILITIES</b>
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The CCM who receives the request for designation may designate a non-federal facility in accordance with the criteria below. An Update Security Designation form (BP-337) shall be completed and entered into SENTRY for any sentence exceeding 30 calendar days.

**Note:** When the USMS takes custody of an inmate from state or local custody to begin serving a federal sentence, the procedures for new commitments, contained in Chapters 3, 5, and 6, are to be followed.

When designating a non-federal facility for an inmate, Designators shall consider the inmate's religious beliefs as one of the factors in making a designation decision. If possible, a non-federal facility where the inmate's religious beliefs can be accommodated shall be designated. If necessary, Designators may consult with Central Office chaplaincy staff in making this designation decision.

#### **TYPES OF COMMITMENTS**

**JUVENILE COMMITMENTS.** All inmates committed under the Juvenile Justice and Delinquency Prevention Act (JJDP) and all inmates under the age of 18 shall be designated and housed in accordance with the requirements of the Program Statement on the Juvenile Delinquents, Juvenile Justice and Delinquency Prevention Act.

CCMs are required to complete a BP-337 for juvenile offenders housed in contract juvenile facilities; however, the CCM does not need to update the BP-338 while the juvenile is housed there unless it is helpful to do so.

**COURT RECOMMENDATION.** When practical, the Bureau will follow the court's recommendation to place a federal offender in a non-federal facility. When the CCM has questions concerning the appropriateness of the recommendation, the Regional Designator shall be consulted. When the court's recommendation regarding a specific or type of non-federal facility is not followed, the Regional Director shall provide written notification to the court explaining the reasons for this decision.

**CONTRACT/DETENTION FACILITIES.** When funds and appropriate jail space are available, the CCM or Designator may designate a contract jail or detention facility for an inmate who is generally sentenced to one year or less. If funds and appropriate jail space are not available or if an inmate has special needs, a federal institution shall be designated through

the appropriate Regional or Central Office Designator. Prior to placement, the CCM must determine whether any PSF(s) or other circumstances would contradict a jail designation. If so, the lowest security level dictated by the applicable PSF must be satisfied.

However, such designations should also take into consideration underpopulated Bureau facilities prior to placement in a contract facility.

**YCA OFFENDERS.** Although the YCA statutes were repealed effective October 12, 1984, an offender originally committed under these statutes could be returned to custody as a parole violator. Questions concerning the institutions for housing YCA parole violators should be directed to the YCA Coordinator at FCI Englewood, Colorado.

**DIRECT COMMITMENTS TO CCCs.** Direct commitments to CCCs may be made on the court's recommendation. If an offender appears to be a candidate for a CCC and it appears that the court did not consider placement in a CCC, the CCM shall contact the court for concurrence of such placement. Ordinarily, contact with the court will be made through the Probation Officer.

**STATE PRISONERS.** 18 U.S.C. § 5003 enables the Director, Bureau of Prisons, to establish contracts to accept state prisoners for boarding in federal institutions. The term "State" as used in this section includes any state, territory, or possession of the United States, and the Canal Zone. The statute does not permit the Bureau to contract placement of state prisoners in third party custody. This includes CCC placements.

When there is a compelling reason for placing a state prisoner in a non-federal facility, institution staff shall contact the Regional Correctional Programs Administrator, who may suggest to officials of the state that they may want to make their own direct placement in a non-federal facility.

Once an inmate is accepted into Bureau custody, occasionally, there may be a reason to return the inmate to the original state. In this instance, institutional staff shall contact their Regional Office. If the Regional Office determines that it would be appropriate for the inmate to be returned, they will contact state officials.

DC/DC inmates accepted into Bureau custody as a result of the "National Capital Revitalization and Self-Government Act of 1997" are not considered "state" inmates.

INMATE LOAD AND SECURITY DESIGNATION FORM INSTRUCTIONS (MALE) BP-337

INMATE LOAD DATA

1. **Register Number.** Enter the inmate's BOP register number. The U.S. Marshal (USM) assigns an eight-digit register number to each inmate with the last three digits denoting the U.S. Marshals' judicial code. The format is five digits, hyphen, three digits. Leading zeroes are required.
2. **Last Name.** Twenty-four spaces are provided for the inmate's last name. The first character must be a letter. Each subsequent character must be a letter, space, hyphen, or apostrophe. The name used shall be the name under which the inmate is committed on the Judgment.
3. **First Name.** Twelve spaces are provided for the inmate's first name.
4. **Middle.** Eight spaces are provided for the inmate's middle name.
5. **Suffix.** Three spaces are provided for any name suffixes (i.e., Jr., Sr., II). Suffix codes are found in the Name Suffix Code section of the SENTRY General Use TRM.
6. **Race.** Standards for the Classification of Federal Data on Race and Ethnicity are set by the Office of Management and Budget. Enter the appropriate code:

<u>CODE</u>	<u>RACE</u>	<u>DEFINITION</u>
A	Asian	A person having origins in any of the Pacific Islands or any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

<u>CODE</u>	<u>RACE</u>	<u>DEFINITION</u>
B	Black or African American	A person having origins in any of the black racial groups of Africa.
I	American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
W	White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

7. **Sex.** Enter M = Male.

8. **Ethnic Origin.** Enter the appropriate code.

<u>CODE</u>	<u>ETHNIC ORIGIN</u>	<u>DEFINITION</u>
H	Hispanic or Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
O	Not Hispanic or Latino	An inmate who does not meet the above criteria.

9. **Date of Birth.** Ten spaces are provided for the inmate's birth date (MM-DD-YYYY); leading zeroes are required (e.g., March 7, 1960 = 03-07-1960).

If the inmate's birth date is unknown or not available, enter 01-01-1800.

10. **Offense/Sentence.** Enter the offense(s). Enter the length of sentence, e.g., "5 years," or "2 years, 6 months."  
**Include court docket number(s) preceding each offense.**
11. **FBI Number.** Nine spaces are provided for the FBI number. It must not duplicate an existing FBI number on the SENTRY database. Leave blank if the inmate is a juvenile or the FBI number is unknown.
12. **Social Security Number (SSN).** Nine spaces are provided for the inmate's SSN.
  - SSNs must not duplicate an existing Social Security Number on the SENTRY database.
  - Dashes are not keyed.
  - Leave the item blank if the inmate has never been issued an SSN (this may be because he is an illegal alien or the SSN is unknown).
13. **State of Birth.** Two spaces are provided for the state code for the state in which the inmate was born. If entered, it must be a valid code found under State Possession Code, SENTRY General Use Technical Reference Manual (TRM).
14. **Or Country of Birth.** If entered, it must be a valid code found under Country Code, SENTRY TRM. Cannot be "US," and cannot be entered if "state of birth" is entered.
15. **Citizenship.** Enter the country code of which the inmate is a citizen. This must be a valid code found under Country Code, SENTRY TRM. Do not rely on the inmate's current place of residence to determine citizenship. The Bureau no longer notifies the Immigration and Naturalization Service (INS) of aliens in our custody, therefore, special emphasis must be placed on the accuracy of citizenship and demographic information at the time of an inmate's admission. (SENTRY is available to INS.)
16. **Address - Street.** Twenty-eight spaces are provided for the street number(s) and name. Enter any combination of alphanumeric characters.
17. **City.** Fifteen spaces are provided for the city. Enter any combination of alphanumeric characters. If entered, a state or foreign country must be entered.

18. **State.** Two spaces are provided for the state code. If entered, it must be a valid state code found under State Possession Code, SENTRY TRM. Enter country code under item 20 if residence is not in the United States or one of its territories or commonwealths.
19. **Zip Code.** Five spaces are provided for the zip code. It must be entered when a state code has been entered. If not available, the city, state, and zip code of the USMS Office assigning the register number shall be entered.
20. **Or Foreign Country.** Two spaces are provided for the country code. If entered, it must be a valid country code found under Country Code, SENTRY TRM. May not be "US." This item cannot be entered if a state address and zip code have been entered.
21. **Height.** Must be entered in a measurement of feet and inches. Values in feet (FT) must be 1 through 9. Values in inches (IN) must be 00 through 11.
22. **Weight.** Values in weight must be 001-999 and represent pounds.
23. **Hair.** Two spaces are provided for the color code. If entered, it must be a valid code found under the Hair Color Code, SENTRY TRM.
24. **Eyes.** Two spaces are provided for the color code. If entered, it must be a valid code found under the Eye Color Code, SENTRY TRM.
25. **ARS Assignment.** Use a valid SENTRY category assignment, SENTRY TRM.

#### UPDATE NICKNAMES AND ALIASES

The committed name is that name which is present on the Judgment. However, inmates often have additional names and nicknames with which they identify. In addition to load data, CCM staff shall enter into SENTRY **all available names** (including legal names, maiden names, AKAs, true names, nicknames, etc.). A Court Order is needed to honor a legal name which differs from the Judgment. Institution staff shall be responsible for updating names in SENTRY as necessary. Inmate names are entered via the Update Nicknames and Aliases transaction.



### SECURITY DESIGNATION DATA

1. **PUBLIC SAFETY FACTORS.** See Chapter 7, pages 1-8.
2. **USM OFFICE.** Enter the location of the USM Office (e.g., E/VA-NOR).
3. **JUDGE.** Enter the sentencing Judge's last name.
4. **RECOMMENDED FACILITY.** Enter the name of the institution recommended. The court may recommend a specific institution or a geographical region for a newly committed inmate. If a specific SENTRY facility code is entered, that facility will appear at the top of the list presented to the designators for consideration.
5. **RECOMMENDED PROGRAM.** Enter the name or type of any program recommendations by the Judge.
6. **TYPE OF DETAINER.** Enter the appropriate number of points in the box in the right-hand column to reflect detainer status. Refer to the Offense Severity Scale, Appendix B. Determination is based on the offense of the most serious detainer.
  - a. If there is a pending charge, points based on the documented **behavior** are assigned on the Type of Detainer item (Security Designations Data, Item #6, BP-337). If the pending charges or detainer involve a **probation** violation, **use the most severe documented behavior in the original offense** as the basis for assigning points in the detainer scoring in Table 5-1.

If law enforcement officials indicate a firm intent to lodge a detainer, consider it lodged. Score a concurrent state sentence as a detainer only if it is expected that the state sentence shall exceed the federal sentence. However, score consecutive state sentences, lodged state detainers, and/or state parole violation terms/warrants as detainers.
  - b. Consecutive federal sentences are ordinarily not lodged as detainers because federal sentences are computed as they are received. If there is more than one sentence, the most severe offense will be used as "Severity of Current Offense."
  - c. **No points shall be awarded for U.S. Parole Commission warrants (adjudicated or unadjudicated).** However, original offense behavior shall be scored as a prior and the violation behavior (including new offense behavior) shall be scored as the instant offense.

d. No points shall be awarded for INS detainers. However, each case shall be carefully reviewed to determine whether the PSF for Deportable Alien is applicable.

**Table 5-1**

TYPE OF DETAINER	
POINTS	DETAINDER OFFENSE LEVEL
0	None/Deportation
1	Lowest and Low Moderate Severity
3	Moderate Severity
5	High Severity
7	Greatest Severity

**Example:** For an individual with two detainers for Violation of Firearms Act (Moderate severity level) and one for Extortion (High severity level), use High = 5 points and enter "5" in the box in the right-hand column.

7. **SEVERITY OF CURRENT OFFENSE.** Enter the appropriate number of points in the box in the right-hand column to reflect the most severe documented instant offense **behavior**. For multiple offenses, the highest score will be used in scoring the current offense. Staff shall consider the offense behavior on all sentences, including federal sentences that have a future beginning date or a previous D.C. or state sentence if there was no **physical** release from custody.

**Note:** This will require CCM staff to make reasonable efforts to obtain documentation.

Severity is determined by using the Offense Severity Scale (Appendix B). Do not use this same information to assign points on the History of Escape or Attempts/History of Violence items (numbers 10 and 11 on the Security Designation data section of the BP-337).

In determining "Severity of Current Offense" staff shall review the Statement of Reasons, if provided, (attachment to the Judgment) and ensure the information provided is appropriately used in classifying the inmate.

**Table 5-2**

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
0	Lowest
1	Low Moderate
3	Moderate
5	High
7	Greatest

**Example:** According to the PSI, the individual was involved in an Assault With Serious Injury (Greatest severity level) but pled guilty to a Simple Assault (Moderate severity level). Assign the points on the basis of the more severe documented behavior, i.e., assign 7 points (Greatest severity level). Do not use the current offense information to assign points on the "history" items (numbers 10 and 11 on the Security Designation Data section of the BP-337).

**PROCEDURES FOR PAROLE, MANDATORY RELEASE, SPECIAL PAROLE TERM,  
OR SUPERVISED RELEASE VIOLATOR**

a. If the violation was the result of new criminal conduct, regardless of conviction status, use the new criminal conduct for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale). If the violation behavior was a technical violation, score the "Severity of Current Offense" as Low Moderate.

b. The original offense behavior which occurred prior to the violation is considered past behavior and is not used in determining "Severity of Current Offense."

**PROCEDURES FOR PROBATION VIOLATOR**

a. The original offense behavior that resulted in probation should be used for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale).

b. However, if the new criminal conduct (violation behavior) is more severe than the original offense behavior, then use this behavior for scoring "Severity of Current Offense." **THE MOST SEVERE DOCUMENTED BEHAVIOR BETWEEN THE ORIGINAL OFFENSE AND THE**

**VIOLATION BEHAVIOR SHALL BE USED FOR SCORING "SEVERITY OF CURRENT OFFENSE."**

8. **MONTHS TO RELEASE.** This item shall reflect the estimated number of months the inmate is expected to be incarcerated. Consecutive **federal** sentences shall be added together for classification purposes. Federal sentences may have different beginning dates, based on the Judgment Orders. There may even be a computation in SENTRY with a beginning date in the future. Based on the inmate's sentence(s), enter the total number of months remaining, less 15% (for sentences over 12 months), and credit for any jail time served. **This item** is not figured into the security point total but **impacts the Sentence Length PSF.**

**Note:** For any old-law inmate serving a LIFE sentence for whom a parole date has not been established, 540 months shall be entered for this item. Death Penalty cases will be treated as LIFE sentences for scoring purposes.

**Example 1:** An adult convicted of Breaking and Entering under the SRA provisions is sentenced to eight years. The expected length of incarceration is  $(96 \times 85\% = 81.6)$ . Round to the nearest whole number to get 82 and subtract any jail time credit  $(180 \text{ days}) = 76$  months to release.

9. **TYPE OF PRIOR COMMITMENTS.** In the right-hand column, enter the appropriate number of points reflecting the category of **prior commitment** history. This is determined by **prior institution incarceration** and is based on the most severe offense behavior (using the Offense Severity Scale, Appendix B) which resulted in commitment. If an inmate is currently serving concurrent and/or consecutive sentences, whether they are federal, D.C., state, or local, none of the other sentences shall be scored as priors until there has been a break in service, i.e., **physical** release. Review the definition and examples in Chapter 2 for further instruction. Commitment is defined as any term for which the individual has been confined and is scored as follows:

- Minor = Lowest or Low Moderate
- Serious = Moderate, High, or Greatest

Documented information from juvenile or YCA adjudications can be used, unless the record has been expunged or vacated.

Table 5-3

TYPE OF PRIOR COMMITMENTS	
POINTS	TYPE
0	None
1	Minor
3	Serious

10. **HISTORY OF ESCAPE OR ATTEMPTS.** Enter the appropriate number of points in the right-hand column to reflect the escape history of the individual **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). Escape history includes the individual's entire background of escapes or attempts to escape from confinement, or absconding from community supervision, **excluding the current term of confinement;**

(**\*\*Exception:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement is to be scored as a history item.\*\*)

CCMs must review the Chronological Disciplinary Record (CDR) for inmates who were previously housed in a federal institution. Any escape(s) or attempt(s) reflected on the CDR must be scored as a history item. **State disciplinary findings are to be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

Failure to Appear for misdemeanor traffic (automobile) violations, and runaways from foster homes are not to be scored. However, Failure to Appear for or Flight to Avoid Prosecution for serious offenses involving the operation of an automobile, such as Vehicular Homicide or Leaving the Scene of an Accident that resulted in serious bodily harm must be counted **when there is a documented finding of guilt.**

In determining time frames, use the date of the documented occurrence. Documented information from juvenile or YCA adjudications can be used unless the record has been expunged or vacated.

**Table 5-4**

HISTORY OF ESCAPE OR ATTEMPTS		
POINTS	HISTORY	DEFINITION
0	None	No history of escape
1	> 10 Minor	An escape from an open institution or program (e.g., minimum security facility, CCC, furlough) not involving any actual or threat of violence. Also includes military AWOL, Bail Reform Act, Flight to Avoid Prosecution, and Absconding from Community Supervision. <b>There must be a finding of guilt.</b>
2	5 - 10 Minor	
3	< 5 Minor	
S *	Any Serious Escape Regardless of time period	An escape from secure custody with or without threat of violence. Also includes escapes from an open facility or program with actual threat of violence. <b>There must be a finding of guilt.</b>  * S = 3 pts. and requires application of PSF (L)

**Example:** An inmate was sentenced for Failure to Appear while on bail for the current offense. The individual was also found guilty for escape from a county jail six years ago by sawing through the bars. Exclude Failure to Appear because it is a part of the current offense. Include escape from county jail (serious) = 3 points. Enter S in the box in the right-hand column and add the Serious Escape PSF.

**11. HISTORY OF VIOLENCE.** Enter the appropriate number of points in the right-hand column to reflect any history of violence, **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). This item includes the individual's entire background of criminal violence, **excluding the current term of confinement;**

**(\*\*Exception:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement must be scored as a history item.\*\*)

CCMs must review the Chronological Disciplinary Record (CDR) for inmates who were previously housed in a federal institution or contract facility. Any violent act(s) reflected on the CDR must be scored as a history item. **State disciplinary findings must be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

\* Severity of violence is defined according to the offense behavior which resulted in a **conviction or finding of guilt**. History of Violence points combine both seriousness and recency of prior violent incidents to measure risk for violent behavior, when more points mean greater risk. Therefore, if there is more than one incident of violence, score the combination of seriousness and recency that yields the highest point score. Prior periods of \* incarceration will be considered a "history" item if the inmate was **physically** released from custody and then returned to serve either a violation or a new sentence. In determining time frames, use the date of the documented behavior. Documented information from juvenile or YCA adjudication can be used unless the record has been expunged or vacated.

**Table 5-5**

HISTORY OF VIOLENCE		
POINTS	YEARS	DEFINITION
0	None	No history of violence
1	> 10 Minor	Aggressive or intimidating behavior which <b>is not</b> likely to cause serious bodily harm or death (e.g., simple assault, fights, domestic disputes, etc.) <b>There must be a finding of guilt.</b>
3	5 - 10 Minor	
5	< 5 Minor	
2	> 15 Serious	Aggressive or intimidating behavior which <b>is</b> likely to cause serious bodily harm or death (e.g., aggravated assault, domestic violence, intimidation involving a weapon, incidents involving arson or explosives, rape, etc.). <b>There must be a finding of guilt.</b>
4	10 - 15 Serious	
6	5 - 10 Serious	
7	< 5 Serious	

\* **Example:** If an offender was found guilty of homicide 20 years ago and a simple assault 3 years ago, assign 5 points for the simple assault. Or in another case, the offender had guilty findings for homicide 12 years ago; aggravated assault 8 years ago; and fighting 2 years ago, score 6 points for the aggravated assault 8 years ago. \*

**Note:** Attempted suicide, self-mutilation and possession of weapons are not applicable behaviors for History of Violence scoring. In addition, verbal threats (such as Code 203-Threatening Bodily Harm) are to be viewed as minor violence.

12. **PRECOMMITMENT STATUS.** Refers to the inmate's status preceding, during, and following trial. Enter the appropriate number in the right-hand column. Note that this number is subtracted from the total of the preceding items.



**Table 5-6**

PRECOMMITMENT STATUS		
POINTS	STATUS	DEFINITION
<b>0</b>	Not Applicable	Inmate was not released on Own Recognizance (OR) and did not Voluntarily Surrender.
<b>R</b> (-3)	Own Recognizance	<u>Award credit for the following:</u> Inmate was released prior to or during the trial period without posting bail or incurring any financial or other type of obligation to ensure appearance.
<b>V</b> (-3)	Voluntary Surrender	Inmate was not escorted by a law enforcement officer to either the U.S. Marshals Office or the place of confinement.  This applies only to <b>post-sentencing</b> voluntary surrender, and does not include cases where the inmate surrendered to the U.S. Marshals on the same day as sentencing.  <u>Do not award credit for the following:</u> If there is any indication of bail violation, failure to appear, etc.  If inmate violated or did not successfully complete release period  Electronic Monitoring cases or pretrial CCC (bond) placement  Military inmates who were not confined, but were restricted in movement on the military reservation

13. **VOLUNTARY SURRENDER DATE.** If the court has provided for voluntary surrender, enter the date of the voluntary surrender in this block. If the court provided for voluntary surrender but did not provide a specific date for the surrender, the CCM shall contact the court to establish a mutually agreeable date.

14. **VOLUNTARY SURRENDER LOCATION.** The CCM shall note whether the inmate is to voluntarily surrender to the USMS or to the designated institution.

15. **CRIMINAL HISTORY POINTS.** Record the criminal history points as identified in the Criminal History Computation section of the PSI. (**This is not to be confused with Criminal History Category, Base Offense Level, or Total Offense Level.**) Enter the number, including zero, indicated by the Probation Officer. If no criminal history points are provided by the USPO, enter UNK (unknown) in the space provided. This is not a scored item affecting the inmate's security or custody score. It is information which will the Bureau's Office of Research and Evaluation will track and analyze.

16. **SECURITY POINT TOTAL.** The sum of items 6 through 12. Enter the total in the appropriate block.

17. **OMDT REFER.** The Medical Designator, Office of Medical Designations Transportation (OMDT), must review all cases in which there is a physical or mental health concern. Enter "Y" (yes) or N (no) in this category. The response will determine which daily log will reflect the designation information.

18. **REMARKS.** Enter relevant information that may have an impact on the designation process or the transportation of the inmate (e.g., medical or psychiatric information, substance abuse history, or arrest behavior with no conviction). Any item (6-11) receiving a score greater than zero requires a brief explanation under the remarks section. Refer to APPENDIX E, Standard Abbreviations/Terms. Also, the individual scoring the case shall enter his or her initials at the end of the "Remarks" section.

#### **REGIONAL OFFICE ACTION - INITIAL DESIGNATION**

1. **FACILITY DESIGNATED.** Enter the mnemonic code for the institution designated (Refer to "Enter Initial Designation," SENTRY General Use TRM).

2. **CUSTODY ASSIGNMENT.** Enter the initial custody assignment in accordance with Table 5-7.

Table 5-7

LEVEL OF INSTITUTION INITIALLY DESIGNATED	INITIAL CUSTODY ASSIGNMENT
Minimum	OUT
Low	IN
Medium	IN
High	IN, unless initial designation is to USP Marion or ADX Florence, in which case the initial custody assignment is MAXIMUM.
Administrative	IN, unless inmate is Minimum security level and designation was not for security reasons, in which case the initial custody assignment is OUT.

3. **DESIGNATOR.** The Designator shall enter his or her initials.

4. **REASON FOR DESIGNATION.** This section is used to identify the primary reason for designation. Below are instructions for entering the appropriate letters which coincide with the designation reason.

- Enter "S" if the inmate's security level is the primary reason for designation and the placement is within normal guidelines. If "S" is entered, the format will not permit an entry in the "Management Reason," item (5).
- Enter "M" if a Management Variable is the primary reason for designation and placement is outside normal guidelines. When "M" is entered, you must enter the appropriate Management Variable(s) (e.g., B = Judicial Recommendation, D = Release Residence, etc.) under the Management Reason item. While one MGTV is generally sufficient, a maximum of three MGTVs may be entered into SENTRY. **In the unlikely event that an inmate's designation facility is inconsistent with his or her MSL, at least one additional non-MSL MGTV must be added to support and explain the inconsistency.**
- When it is necessary to place an inmate at a particular institution temporarily in order to have a parole hearing within certain time limits, a secondary designation is required. The Violation Hearing Liaison Designator shall notify the Warden of the secondary institution via GroupWise. Following the hearing, the institution where the

inmate was first placed should review the secondary designation and contact the Regional Designator if the results of the hearing indicate that a change in the secondary designation is required. An ICC may not be identified as a secondary designation.

5. **MANAGEMENT VARIABLES.** See Chapter 7, pages 9-15.

6. **REMARKS.** Enter any relevant information not already recorded that may have an impact on the designation process or the transportation of the inmate.

#### **SECURITY LEVEL GUIDELINES**

Designators may make designations by application of a Management Variable(s). Management Variables and the Security Designation Table are available in Chapter 7. Every designation outside the guidelines requires application of a Management Variable.

INMATE LOAD AND SECURITY DESIGNATION FORM - MALE (BP-337)									
INMATE LOAD DATA		1. REG NO			2. LAST NAME				
3. FIRST NAME			4. MIDDLE				5. SUFFIX		
6. RACE		7. SEX		8. ETHNIC ORIGIN		9. DATE OF BIRTH			
10. OFFENSE/SENTENCE									
11. FBI NUMBER			12. SOCIAL SECURITY NUMBER						
13. STATE OF BIRTH			14. OR COUNTRY OF BIRTH				15. CITIZENSHIP		
16. ADDRESS - STREET						17. CITY			
18. STATE			19. ZIP CODE			20. OR FOREIGN COUNTRY			
21. HEIGHT - FT:                      IN:			22. WEIGHT		23. HAIR		24. EYES		
25. ARS ASSIGNMENT									
SECURITY DESIGNATION DATA //////////////////////////////////////									
1. PUBLIC SAFETY FACTORS A - NONE                      F - SEX OFFENDER                      I - SENTENCE LENGTH B - DISRUPTIVE GROUP                      G - THREAT GOVT OFFICIAL                      L - SERIOUS ESCAPE C - GREATEST SEVERITY OFFENSE                      H - DEPORTABLE ALIEN                      M - PRISON DISTURBANCE									
2. USM OFFICE		3. JUDGE		4. REC FACILITY		5. REC PROGRAM			
6. TYPE OF DETAINER		0 - NONE 1 - LOWEST/LOW MODERATE		3 - MODERATE 5 - HIGH		7 - GREATEST			
7. SEVERITY OF CURRENT OFFENSE		0 - LOWEST 1 - LOW MODERATE		3 - MODERATE 5 - HIGH		7 - GREATEST			
8. MONTHS TO RELEASE _____									
9. TYPE OF PRIOR COMMITMENT		0 = NONE		1 = MINOR		3 = SERIOUS			
10. HISTORY OF ESCAPE OR ATTEMPTS		NONE MINOR 0 SERIOUS 0		>15 YEARS 1 3(S)		10-15 YEARS 1 3(S)		5-10 YEARS 2 3(S)	
11. HISTORY OF VIOLENCE		NONE MINOR 0 SERIOUS 0		>15 YEARS 1 2		10-15 YEARS 1 4		5-10 YEARS 3 6	
12. PRECOMMITMENT STATUS		0=NOT APPLICABLE -3(R)=OWN RECOGNIZANCE -3(V)=VOLUNTARY SURRENDER							
13. VOLUNTARY SURRENDER DATE				14. VOLUNTARY SURRENDER LOCATION					
15. CRIM HX PTS _____				16. SECURITY POINT TOTAL					
17. OMDT REFER (Y/N) _____									
18. REMARKS									

**INMATE LOAD AND SECURITY DESIGNATION FORM INSTRUCTIONS (FEMALE) BP-337**

**INMATE LOAD DATA**

1. **Register Number.** Enter the inmate's BOP register number. The U.S. Marshal (USM) assigns an eight-digit register number to each inmate with the last three digits denoting the U.S. Marshals' judicial code. The format is five digits, hyphen, three digits. Leading zeroes are required.
2. **Last Name.** Twenty-four spaces are provided for the inmate's last name. The first character must be a letter. Each subsequent character must be a letter, space, hyphen, or apostrophe. The name used shall be the name under which the inmate is committed on the Judgment.
3. **First Name.** Twelve spaces are provided for the inmate's first name.
4. **Middle.** Eight spaces are provided for the inmate's middle name.
5. **Suffix.** Three spaces are provided for any name suffixes (i.e., Jr., Sr., II). Suffix codes are found in the Name Suffix Code section of the SENTRY General Use TRM.
6. **Race.** Standards for the Classification of Federal Data on Race and Ethnicity are set by the Office of Management and Budget. Enter the appropriate code:

<u>CODE</u>	<u>RACE</u>	<u>DEFINITION</u>
A	Asian	A person having origins in any of the Pacific Islands or any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia,

Pakistan, the  
Philippine Islands,  
Thailand, and  
Vietnam.

<u>CODE</u>	<u>RACE</u>	<u>DEFINITION</u>
B	Black or African American	A person having origins in any of the black racial groups of Africa.
I	American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
W	White	A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

7. **Sex.** Enter F = Female.

8. **Ethnic Origin.** Enter the appropriate code.

<u>CODE</u>	<u>ETHNIC ORIGIN</u>	<u>DEFINITION</u>
H	Hispanic or Latino	A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
O	Not Hispanic or Latino	An inmate who does not meet the above criteria.

9. **Date of Birth.** Ten spaces are provided for the inmate's birth date (MM-DD-YYYY); leading zeroes are required (e.g., March 7, 1960 = 03-07-1960).

If the inmate's birth date is unknown or not available, enter 01-01-1800.

10. **Offense/Sentence.** Enter the offense(s). Enter the length of sentence, e.g., "5 years," or "2 years, 6 months." **Include court docket number(s) preceding each offense.**
11. **FBI Number.** Nine spaces are provided for the FBI number. It must not duplicate an existing FBI number on the SENTRY database. Leave blank if the inmate is a juvenile or the FBI number is unknown.
12. **Social Security Number (SSN).** Nine spaces are provided for the inmate's SSN.
- SSNs must not duplicate an existing Social Security Number on the SENTRY database.
  - Dashes are not keyed.
  - Leave the item blank if the inmate has never been issued an SSN (this may be because he is an illegal alien or the SSN is unknown).
13. **State of Birth.** Two spaces are provided for the state code for the state in which the inmate was born. If entered, it must be a valid code found under State Possession Code, SENTRY General Use Technical Reference Manual (TRM).
14. **Or Country of Birth.** If entered, it must be a valid code found under Country Code, SENTRY TRM. Cannot be "US," and cannot be entered if "state of birth" is entered.
15. **Citizenship.** Enter the country code of which the inmate is a citizen. This must be a valid code found under Country Code, SENTRY TRM. Do not rely on the inmate's current place of residence to determine citizenship. The Bureau no longer notifies the Immigration and Naturalization Service (INS) of aliens in our custody, therefore, special emphasis must be placed on the accuracy of citizenship and demographic information at the time of an inmate's admission. (SENTRY is available to INS.)



16. **Address - Street.** Twenty-eight spaces are provided for the street number(s) and name. Enter any combination of alphanumeric characters.
17. **City.** Fifteen spaces are provided for the city. Enter any combination of alphanumeric characters. If entered, a state or foreign country must be entered.
18. **State.** Two spaces are provided for the state code. If entered, it must be a valid state code found under State Possession Code, SENTRY TRM. Enter country code under item 20 if residence is not in the United States or one of its territories or commonwealths.
19. **Zip Code.** Five spaces are provided for the zip code. It must be entered when a state code has been entered. If not available, the city, state, and zip code of the USMS Office assigning the register number shall be entered.
20. **Foreign Country.** Two spaces are provided for the country code. If entered, it must be a valid country code found under Country Code, SENTRY TRM. May not be "US." This item cannot be entered if a state address and zip code have been entered.
21. **Height.** Must be entered in a measurement of feet and inches. Values in feet (FT) must be 1 through 9. Values in inches (IN) must be 00 through 11.
22. **Weight.** Values in weight must be 001-999 and represent pounds.
23. **Hair.** Two spaces are provided for the color code. If entered, it must be a valid code found under the Hair Color Code, SENTRY TRM.
24. **Eyes.** Two spaces are provided for the color code. If entered, it must be a valid code found under the Eye Color Code, SENTRY TRM.
25. **ARS Assignment.** Use a valid SENTRY category assignment, SENTRY TRM.

#### **ALIAS/NICKNAME DATA**

The committed name is that name which is present on the Judgment. However, inmates often have additional names and nicknames with which they identify. In addition to load data, CCM staff shall

enter into SENTRY **all available names** (including legal names, maiden names, AKAs, true names, nicknames, etc.). A Court Order is needed to honor a legal name which differs from the Judgment. Institution staff shall be responsible for updating names in SENTRY as necessary. Inmate names are entered via the Update Nicknames and Aliases transaction.

#### SECURITY DESIGNATION DATA

1. **PUBLIC SAFETY FACTORS.** See Chapter 7, pages 1-8.
2. **USM OFFICE.** Enter the location of the USM Office (e.g., E/VA-NOR).
3. **JUDGE.** Enter the sentencing Judge's last name.
4. **RECOMMENDED FACILITY.** Enter the name of the institution recommended. The court may recommend a specific institution or a geographical region for a newly committed inmate. If a specific SENTRY facility code is entered, that facility will appear at the top of the list presented to the designators for consideration.
5. **RECOMMENDED PROGRAM.** Enter the name or type of any program recommendations by the Judge.
6. **TYPE OF DETAINER.** Enter the appropriate number of points in the box in the right-hand column to reflect detainer status. Refer to the Offense Severity Scale, Appendix B. Determination is based on the offense of the most serious detainer.

a. If there is a pending charge, points based on the documented **behavior** are assigned on the Type of Detainer item (Security Designations Data, Item #6, BP-337). If the pending charges or detainer involve a **probation** violation, **use the most severe documented behavior in the original offense** as the basis for assigning points in Table 6-1.

If law enforcement officials indicate a firm intent to lodge a detainer, consider it lodged. Score a concurrent state sentence as a detainer only if it is expected that the state sentence shall exceed the federal sentence. However, score consecutive state sentences, lodged state detainees, and/or state parole violation terms/warrants as detainees.

b. Consecutive federal sentences are ordinarily not lodged as detainees because federal sentences are computed as they are

received. If there is more than one sentence, the most severe offense will be used as "Severity of Current Offense."

c. **No points shall be awarded for U.S. Parole Commission warrants (adjudicated or unadjudicated).** However, original offense behavior shall be scored as a prior and the violation behavior (including new offense behavior) shall be scored as the instant offense.

d. No points shall be awarded for INS detainers. However, each case shall be carefully reviewed to determine whether the PSF for Deportable Alien is applicable.

**Table 6-1**

TYPE OF DETAINER	
POINTS	DETAINDER OFFENSE LEVEL
0	None/Deportation
1	Lowest and Low Moderate Severity
3	Moderate Severity
5	High Severity
7	Greatest Severity

**Example:** An individual with two detainers for Violation of Firearms Act (Moderate severity level) and one for Extortion (High severity level), use High = 5 points and enter "5" in box in right-hand column.

7. **SEVERITY OF CURRENT OFFENSE.** Enter the appropriate number of points in the box in the right-hand column to reflect the most severe documented instant offense **behavior**. The highest score will be used in scoring the current offense. Staff shall consider the offense behavior on all sentences, including federal sentences that have a future beginning date or a D.C. or state sentence if there was no **physical** release from custody.

**Note:** This will require CCM staff to make reasonable efforts to obtain documentation.

Severity is determined by using the Offense Severity Scale (Appendix B). Do not use this same information to assign points on the "History of Escape or Attempts" or "History of Violence"

items (numbers 9 and 10 on the Security Designation data section of the BP-337).

In determining "Severity of Current Offense" staff shall review the Statement of Reasons, if provided, (attachment to the Judgment) and ensure the information provided is appropriately used in classifying the inmate.

Table 6-2

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
0	Lowest
1	Low Moderate
3	Moderate
5	High
7	Greatest

**Example:** According to the PSI, the individual was involved in an Assault With Serious Injury (Greatest severity level) but pled guilty to a Simple Assault (Moderate severity level). Assign the points on the basis of the more severe documented behavior, i.e., assign 7 points (Greatest severity level). Do not use the current term of confinement information to assign points on the "history" items (numbers 9 and 10 on the Security Designation Data section of the BP-337).

**PROCEDURES FOR PAROLE, MANDATORY RELEASE, SPECIAL PAROLE TERM,  
OR SUPERVISED RELEASE VIOLATOR**

a. If the violation was the result of new criminal conduct, regardless of conviction status, use the new criminal conduct for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale). If the violation behavior was a technical violation, score the "Severity of Current Offense" as Low Moderate.

b. The original offense behavior which occurred prior to the violation is considered past behavior and is not used in determining "Severity of Current Offense."

**PROCEDURES FOR PROBATION VIOLATOR**

a. The original offense behavior that resulted in probation should be used for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale).

b. However, if the new criminal conduct (violation behavior) is more severe than the original offense behavior, then use this behavior for scoring "Severity of Current Offense." **THE MOST SEVERE DOCUMENTED BEHAVIOR BETWEEN THE ORIGINAL OFFENSE AND THE VIOLATION BEHAVIOR SHALL BE USED FOR SCORING "SEVERITY OF CURRENT OFFENSE."**

8. **MONTHS TO RELEASE.** This item shall reflect the estimated number of months the inmate is expected to be incarcerated. Consecutive **federal** sentences shall be added together for classification purposes. Federal sentences may have different beginning dates, based on the Judgment Orders. There may even be a computation in SENTRY with a beginning date in the future. Based on the inmate's sentence(s), enter the total number of months remaining, less 15% (for sentences over 12 months), and credit for any jail time served. **This item** is not figured into the security point total.

**Example 1:** An adult convicted of Breaking and Entering under the SRA provisions is sentenced to eight years. The expected length of incarceration is  $(96 \times 85\% = 81.6)$ . Round to the nearest whole number to get 82 and subtract any jail time credit (180 days) = 76 months to release. Likewise, 3 points are entered in item 8A, below.

9. **EXPECTED LENGTH OF INCARCERATION.** Enter the appropriate code reflecting the expected length of incarceration in the right-hand column. The score shall reflect the total number of months remaining from the inmate's sentence, less 15% (for sentences over 12 months), and credit for any jail time served.

Federal inmates whose offense was on or after November 1, 1987, will be expected to serve approximately 85% of the sentence length (rounded to the nearest whole number). Consecutive **federal** sentences shall be added for classification purposes. Federal sentences may have different beginning dates, based on the Judgments. There may even be a computation in SENTRY with a beginning date in the future. However, for record-keeping and research purposes, enter the actual number of months to the farthest release date in the appropriate location of the form.

Note: All inmates serving a LIFE sentence for whom a parole date has not been established receive 5 points on this item (8A) and 540 is entered in the appropriate location (8) of the form. Death Penalty cases will be treated as LIFE sentences for scoring purposes.

**Table 6-3**

EXPECTED LENGTH OF INCARCERATION	
POINTS	EXPECTED LENGTH
0	0-12 Months
1	13-59 Months
3	60-83 Months
5	84 + Months

10. **TYPE OF PRIOR COMMITMENTS.** In the right-hand column, enter the appropriate number of points reflecting the category of **prior commitment** history. This is determined by **prior institution incarceration** and is based on the most severe offense behavior (using the Offense Severity Scale, Appendix B) which resulted in commitment. If an inmate is currently serving concurrent and/or consecutive sentences, whether they are federal, D.C., state, or local, none of the other sentences shall be scored as priors until there has been a break in service, i.e., **physical** release. Review the definition and examples in Chapter 2 for further instruction. Commitment is defined as any term for which the individual has been confined and is scored as follows:

- Minor = Lowest or Low Moderate
- Serious = Moderate, High, or Greatest

Documented information from juvenile or YCA adjudications can be used, unless the record has been expunged or vacated.

**Table 6-4**

TYPE OF PRIOR COMMITMENTS	
POINTS	TYPE
0	None
1	Minor
3	Serious

11. **HISTORY OF ESCAPE OR ATTEMPTS.** Enter the appropriate number of points in the right-hand column to reflect the escape history of the individual **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). Escape history includes the individual's entire background of escapes or attempts to escape from confinement, or absconding from community supervision, **excluding the current term of confinement;**

**(\*\*Exception:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement shall be scored as a history item.\*\*)

CCMs shall review the Chronological Disciplinary Record (CDR) for inmates who were previously housed in a federal institution. Any escape(s) or attempt(s) reflected on the CDR must be scored as a history item. **State disciplinary findings shall be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

Failure to Appear for misdemeanor traffic (automobile) violations, and runaways from foster homes are not to be scored. However, Failure to Appear for or Flight to Avoid Prosecution for serious offenses involving the operation of an automobile, such as Vehicular Homicide or Leaving the Scene of an Accident that resulted in serious bodily harm shall be counted **when there is a documented finding of guilt.**

In determining time frames, use the date of the documented occurrence. Documented information from juvenile or YCA adjudications can be used unless the record has been expunged or vacated.



**Table 6-5**

HISTORY OF ESCAPE OR ATTEMPTS		
POINTS	HISTORY	DEFINITION
0	None	No history of escape
1	> 10 Minor	An escape from an open institution or program (e.g., minimum security facility, CCC, furlough) not involving any actual or threat of violence. Also includes military AWOL, Bail Reform Act, Flight to Avoid Prosecution, and Absconding from Community Supervision. <b>There must be a finding of guilt.</b>
2	5 - 10 Minor	
3	< 5 Minor	
4	> 15 Serious	An escape from secure custody with or without threat of violence. Also includes escapes from an open facility or program with actual threat of violence. <b>There must be a finding of guilt.</b>
5	10 - 15 Serious	
6	5 - 10 Serious	
7	< 5 Serious	

**Example:** An inmate was sentenced for Failure to Appear while on bail for the current offense. The individual was also found guilty for escape from a county jail six years ago by sawing through the bars. Exclude Failure to Appear because it is a part of the current offense. Include escape from county jail (serious) = 6 points. Enter 6 in the box in the right-hand column.

**12. HISTORY OF VIOLENCE.** Enter the appropriate number of points in the right-hand column to reflect any history of violence, **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). This item includes the individual's entire background of criminal violence, **excluding the current term of confinement;**

**(\*\*Exception:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement shall be scored as a history item.\*\*)

CCMs are to review the Chronological Disciplinary Record (CDR) for inmates who were previously housed in a federal institution or contract facility. Any violent act(s) reflected on the CDR must be scored as a history item. **State disciplinary findings are to be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

Severity of violence is defined according to the offense behavior which resulted in a **conviction or finding of guilt**. If there is more than one incident of violence, the most serious is used to determine severity. Prior periods of incarceration will be considered a "history" item if the inmate was **physically** released from custody and then returned to serve either a violation or a new sentence. In determining time frames, use the date of the documented behavior. Documented information from juvenile or YCA adjudication can be used unless the record has been expunged or vacated.

Table 6-6

HISTORY OF VIOLENCE		
POINTS	YEARS	DEFINITION
0	None	No history of violence
1	> 10 Minor	Aggressive or intimidating behavior which <b>is not</b> likely to cause serious bodily harm or death (e.g., simple assault, fights, domestic disputes, etc.) <b>There must be a finding of guilt.</b>
2	5 - 10 Minor	
3	< 5 Minor	
4	> 15 Serious	Aggressive or intimidating behavior which <b>is</b> likely to cause serious bodily harm or death (e.g., aggravated assault, domestic violence, intimidation involving a weapon, incidents involving arson or explosives, rape, etc.). <b>There must be a finding of guilt.</b>
5	10 - 15 Serious	
6	5 - 10 Serious	
7	< 5 Serious	

**Example (1):** If an inmate has a conviction resulting in a fine for being in a drunken fight 12 years ago, this would be scored as > 10 Minor, and "1" would be entered in the right hand column.

**Note:** Attempted suicide, self-mutilation and possession of weapons are not applicable behaviors for History of Violence scoring. In addition, verbal threats (such as Code 203-Threatening Bodily Harm) are to be viewed as minor violence.

13. **PRECOMMITMENT STATUS.** Refers to the inmate's status preceding, during, and following trial. Enter the appropriate number in the right-hand column. Note that this number is subtracted from the total of the preceding items.

**Table 6-7**

PRECOMMITMENT STATUS		
POINTS	STATUS	DEFINITION
0	Not Applicable	Inmate was not on Own Recognizance (OR) and did not Voluntarily Surrender.
-3	Own Recognizance (OR)	Inmate was released prior to, or during, the trial period without posting bail or incurring any financial or other obligation(s)* to ensure appearance. Ignore if there is any indication of bail violation, failure to appear, etc.  *(Inmates who were not confined, but were restricted in movement are not entitled to credit (i.e., electronic monitoring or military cases).
-6	Voluntary Surrender	Inmate was not escorted by a law enforcement officer to either the U.S. Marshals Office or the place of confinement. This applies only to <b>post-sentencing</b> voluntary surrender, and does not include cases where the inmate surrendered to the U.S. Marshals on the same day as sentencing. Ignore if the inmate violated or did not successfully complete the release period.

14. **VOLUNTARY SURRENDER DATE.** If the court has provided for voluntary surrender, enter the date of the voluntary surrender in this block. If the court provided for voluntary surrender but did not provide a specific date for the surrender, the CCM shall contact the court to establish a mutually agreeable date.

15. **VOLUNTARY SURRENDER LOCATION.** The CCM shall note whether the inmate is to voluntarily surrender to the USMS or to the designated institution.

16. **CRIMINAL HISTORY POINTS.** Record the criminal history points as identified in the Criminal History Computation section of the PSI. (**This is not to be confused with Criminal History Category, Base Offense Level, or Total Offense Level.**) Enter the number, including zero, indicated by the Probation Officer. If no criminal history points are provided by the USPO, enter UNK (unknown) in the space provided. This is not a scored item affecting the inmate's security or custody score. It is information which will be tracked and analyzed by the Bureau of Prisons, Office of Research and Evaluation.

17. **SECURITY POINT TOTAL.** The sum of items 6 through 12. Enter the total in the appropriate block.

18. **OMDT REFER.** The Medical Designator, Office of Medical Designations Transportation (OMDT), must review all cases in which there is a medical concern. Enter Y (yes) or N (no) in this category. The response will determine which daily log will reflect the designation information.

19. **REMARKS.** Enter relevant information that may have an impact on the designation process or the transportation of the inmate (e.g., medical or psychiatric information, substance abuse history, or arrest behavior with no conviction). Any item (6-11) receiving a score greater than zero requires a brief explanation under the remarks section. Refer to APPENDIX E, Standard Abbreviations/Terms. Also, the individual scoring the case shall enter his or her initials at the end of the "Remarks" section.

#### **REGIONAL OFFICE ACTION - INITIAL DESIGNATION**

1. **FACILITY DESIGNATED.** Enter the mnemonic code for the institution designated (Refer to "Enter Initial Designation," SENTRY General Use TRM).

2. **CUSTODY ASSIGNMENT.** Enter the initial custody assignment in accordance with Table 6-8.

Table 6-8

INITIAL CUSTODY ASSIGNMENT	LEVEL OF INSTITUTION INITIALLY DESIGNATED
Minimum	OUT
Low	IN
Medium	IN
High	IN, unless initial designation is to Carswell Administrative Unit, FMC Carswell, Texas
Administrative	IN, unless inmate is Minimum security level and designation was not for security reasons, in which case the initial custody assignment is OUT.

3. **DESIGNATOR.** The Designator shall enter his or her initials.

4. **REASON FOR DESIGNATION.** This section is used to identify the primary reason for designation. Below are instructions for entering the appropriate letters which coincide with the designation reason.

- Enter "S" if the inmate's security level is the primary reason for designation and the placement is within normal guidelines. If "S" is entered, the format will not permit an entry in the "Management Reason," item (5).
- Enter "M" if a Management Variable is the primary reason for designation and placement is outside normal guidelines. When "M" is entered, you must enter the appropriate Management Variable(s) (e.g., B = Judicial Recommendation, D = Release Residence, etc.) under the Management Reason item. While one MGTV is generally sufficient, a maximum of three MGTVs may be entered into SENTRY. **In the unlikely event that an inmate's designation facility is inconsistent with his or her MSL, at least one additional non-MSL MGTV must be added to support and explain the inconsistency.**
- When it is necessary to place an inmate at a particular institution temporarily in order to have a parole hearing within certain time limits, a secondary designation is required. The Violation Hearing Liaison Designator shall notify the Warden of the secondary institution via GroupWise. Following the hearing, the institution where the inmate was first placed should review the secondary

designation and contact the Regional Designator if the results of the hearing indicate that a change in the secondary designation is required. An ICC may not be identified as a secondary designation.

5. **MANAGEMENT VARIABLES.** See Chapter 7, pages 9-15.

6. **REMARKS.** Enter any relevant information not already recorded that may have an impact on the designation process or the transportation of the inmate.

#### **SECURITY LEVEL GUIDELINES**

Designators may make designations by application of a Management Variable(s). Management Variables and the Security Designation Table are available in Chapter 7. Every designation outside the guidelines requires application of a Management Variable.

<b>INMATE LOAD AND SECURITY DESIGNATION FORM - FEMALE (BP-337)</b>				
INMATE LOAD DATA		1. REG NO		2. LAST NAME
3. FIRST NAME		4. MIDDLE		5. SUFFIX
6. RACE	7. SEX	8. ETHNIC ORIGIN	9. DATE OF BIRTH	
10. OFFENSE/SENTENCE				
11. FBI NUMBER		12. SOCIAL SECURITY NUMBER		
13. STATE OF BIRTH		14. OR COUNTRY OF BIRTH		15. CITIZENSHIP
16. ADDRESS - STREET			17. CITY	
18. STATE		19. ZIP CODE	20. OR FOREIGN COUNTRY	
21. HEIGHT - FT:                      IN:		22. WEIGHT	23. HAIR	24. EYES
25. ARS ASSIGNMENT				
<b>SECURITY DESIGNATION DATA</b> //////////////////////////////////////				
1. PUBLIC SAFETY FACTORS      A - NONE F - SEX OFFENDER G - THREAT GOVT OFFICIAL				H - DEPORTABLE ALIEN K - VIOLENT BEHAVIOR L - SERIOUS ESCAPE
M - PRISON DISTURBANCE				
2. USM OFFICE		3. JUDGE	4. REC FACILITY	5. REC PROGRAM
6. TYPE OF DETAINER		0 - NONE 1 - LOWEST/LOW MODERATE		3 - MODERATE 5 - HIGH
7. SEVERITY OF CURRENT OFFENSE		0 - LOWEST 1 - LOW MODERATE		3 - MODERATE 5 - HIGH
8. MONTHS TO RELEASE		9. EXPECTED LENGTH OF INCARCERATION		0 - 0-12 MONTHS 1 - 13-59 MONTHS
				3 - 60 - 83 MONTHS 5 - 84 PLUS MONTHS
10. TYPE OF PRIOR COMMITMENT                      0 = NONE                      1 = MINOR                      3 = SERIOUS				
11. HISTORY OF ESCAPE OR ATTEMPTS		MINOR      NONE      >15 YEARS      10-15 YEARS      5-10 YEARS      <5 YEARS SERIOUS      0                      1                      2                      3 0                      4                      5                      6                      7		
12. HISTORY OF VIOLENCE		MINOR      NONE      >15 YEARS      10-15 YEARS      5-10 YEARS      <5 YEARS SERIOUS      0                      1                      2                      3 0                      4                      5                      6                      7		
13. PRECOMMITMENT STATUS 0= NOT APPLICABLE    -3= OWN RECOGNIZANCE    -6= VOLUNTARY SURRENDER				
14. VOLUNTARY SURRENDER DATE			15. VOLUNTARY SURRENDER LOCATION	
16. CRIM HX PTS _____			17. SECURITY POINT TOTAL	
18. OMDT REFER (Y/N) _____				
19. REMARKS				

<b>PUBLIC SAFETY FACTORS AND MANAGEMENT VARIABLES</b>
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### **PUBLIC SAFETY FACTORS**

There are certain factors which require increased security measures to ensure the protection of society. Staff shall apply any of the following Public Safety Factors (PSF) that are appropriate. Up to three PSFs may be entered on the Update Security Designation (BP-337). If more than three applicable Public Safety Factors are identified, use those which would most appropriately control the inmate's placement.

<b><u>CODE</u></b>	<b><u>DESCRIPTION - PSF</u></b>
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<b>A</b>	<b><u>NONE.</u></b> No Public Safety Factors apply.
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<b>B</b>	<b><u>DISRUPTIVE GROUP.</u></b> A <b>male</b> inmate who is a validated member of a Disruptive Group identified in the Central Inmate Monitoring System shall be housed in a High security level institution, unless the PSF has been waived.
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**Note:** At the time of initial designation, if the PSI or other documentation identifies the inmate as a possible member of one of the Central Inmate Monitoring Disruptive Groups, Community Corrections (CC) staff shall indicate a PSF on the BP-337. However, CC staff shall not enter the CIM assignment "Disruptive Group." Upon loading this PSF on a not-yet-validated member, CC staff shall 1) make a notation in the remarks section to indicate the need for validation upon arrival at the institution, and 2) notify the Central Office Intelligence Section, via GroupWise, to advise them of the inmate's status. Upon the inmate's arrival at the designated institution, the intake screener shall notify the institution's Special Investigation Supervisor (SIS) of the inmate's PSF, in order to begin the validation process.

<b>C</b>	<b><u>GREATEST SEVERITY OFFENSE.</u></b> A <b>male</b> inmate whose current term of confinement falls into the "Greatest Severity" range according to the Offense Severity Scale (Appendix B) shall be housed in at least a Low security level institution, unless the PSF has been waived.
----------	---



**CODE**

**DESCRIPTION - PSF**

**F**     **SEX OFFENDER.** A male or female inmate whose behavior in the current term of confinement or prior history includes one or more of the following elements shall be housed in at least a Low security level institution, unless the PSF has been waived. A conviction is not required for application of this PSF if the PSI, or other official documentation, clearly indicates the following behavior occurred in the current term of confinement or prior criminal history. If the case was dismissed or nolle prosequi, application of this PSF cannot be entered. However, in the case where an inmate was charged with an offense that included one of the following elements, but as a result of a plea bargain was not convicted, application of this PSF should be entered.

**Example:** According to the PSI, the inmate was specifically described as being involved in a Sexual Assault but pled guilty to Simple Assault. Based on the documented behavior, application of this PSF should be entered.

(1) Engaging in sexual contact with another person without obtaining permission to do so (forcible rape, sexual assault or sexual battery);

(2) Possession, distribution or mailing of child pornography or related paraphernalia;

(3) Any sexual contact with a minor or other person physically or mentally incapable of granting consent (indecent liberties with a minor, statutory rape, sexual abuse of the mentally ill, rape by administering a drug or substance);

(4) Any sexual act or contact not identified above that is aggressive or abusive in nature (rape by instrument, encouraging use of a minor for prostitution purposes, incest). Examples may be documented by state or Bureau of Prisons' incident reports, clear NCIC entries, or other official documentation;

(5) Attempts are to be treated as if the sexual act or contact was completed; and/or,

(6) Any offense referenced in the Sex Offender Notification and Registration Program Statement.

<u>CODE</u>	<u>DESCRIPTION - PSF</u>
G	<b><u>THREAT TO GOVERNMENT OFFICIALS.</u></b> A <b>male</b> or <b>female</b> inmate classified with a Central Inmate Monitoring assignment of Threat to Government Official shall be housed in at least a Low security level institution, unless the PSF has been waived.
H	<b><u>DEPORTABLE ALIEN.</u></b> A "Deportable Alien" is a <b>male</b> or <b>female</b> inmate who is a citizen of a foreign country, rather than the United States. In addition, the inmate shall be housed in at least a Low security level institution, unless the PSF has been waived. This PSF also prevents placement in a CCC. Unless an inmate meets all of the below criteria, the PSF shall be applied:  (1) <b>Documented and/or independently verified history of stable employment in the U.S.</b> for at least three years immediately prior to incarceration. Stable or regular employment is generally defined as full-time (40 hours a week) work. Part-time or seasonal work prior to incarceration does not meet the definition of stable employment;  (2) <b>Verified history of domicile in the U.S.</b> (five or more consecutive years immediately preceding the inmate's incarceration for the current term of confinement). For example, if an inmate was arrested and detained in March 1993 on his or her current conviction and was in the U.S. between 1980 and 1984, and again between 1992 and 1993, a PSF for Deportable Alien shall be applied since the five years were not consecutive and did not immediately precede his or her incarceration; and,  (3) <b>Verified strong family ties in the U.S.</b> Strong family ties include <b>only</b> the immediate family. Members of immediate family include: mother, father, step-parents, foster parents, brothers and sisters, spouse, and children. The word "spouse" includes a common-law relationship which has previously been established in a state which recognizes such a status. In states which do not, a common-law relationship is not considered "immediate family." For determination of applicable state laws, Regional Counsel should be consulted.

**CODE**

**DESCRIPTION - PSF**

The defendant or the family member's statement to the USPO preparing the PSI is not considered adequate verification for criteria (1) and (2) above.

The PSF shall not be applied when the Immigration and Naturalization Service (INS) or the Immigration Judge has determined that deportation proceedings are unwarranted and the Institution Hearing Program (IHP) Case Management Activity (CMA) assignment of NO IHP or IHP CMP ND is assigned. Conversely, if the inmate is ordered deported (CMA of IHP CMP WD), the Deportable Alien PSF shall be applied regardless of the above criteria. The Deportable Alien PSF shall also be applied when FCI Oakdale institution staff assign the inmate a CMA assignment of "OAK INS," regardless of the above criteria. Cases with detainers for deportation investigations or other unusual situations will be evaluated individually.

- I**     **SENTENCE LENGTH.** A **male** inmate with more than ten years remaining to serve shall be housed in at least a Low security level institution unless the PSF has been waived.

A **male** inmate with more than 20 years remaining to serve shall be housed in at least a Medium security level institution, unless the PSF has been waived.

A **male** inmate with more than 30 years remaining to serve (including non-parolable LIFE sentences) shall be housed in a High security level institution unless the PSF has been waived.

- K**     **VIOLENT BEHAVIOR.** A **female** inmate whose current term of confinement or history involves two convictions (or findings of commission of a prohibited act by the DHO) for serious incidents of violence within the last five years shall be assigned to the Carswell Administrative Unit, FMC Carswell, Texas, unless the PSF has been waived.

- L**     **SERIOUS ESCAPE.** A **female** inmate who has been involved in a serious escape within the last ten years, including the current term of confinement, shall be

**CODE**

**DESCRIPTION - PSF**

assigned to the Carswell Administrative Unit, unless the PSF has been waived.

A **male** inmate who has escaped from a secure facility (prior or instant offense) with or without the threat of violence or who escapes from an open institution or program with a threat of violence shall be housed in at least a Medium security level institution, unless the PSF has been waived.

- M**     **PRISON DISTURBANCE.** A **male** or **female** inmate who was involved in a serious incident of violence within the institution and was found guilty of the prohibited act(s) of Engaging, Encouraging a Riot, or acting in furtherance of such as described in, but not limited to institution disciplinary codes such as 103, 105, 106, 107, 212, 213 or 218. Such a finding must be in conjunction with a period of multiple institution disruptions. Males will be housed in at least a HIGH security level institution and females shall be assigned to the Carswell Administrative Unit, unless the PSF has been waived.

**DISCONTINUED PUBLIC SAFETY FACTORS**

- D**     Firearms  
**E**     High Drug  
**J**     Designation Assessment

**REQUEST FOR PUBLIC SAFETY FACTOR WAIVER.** Only the Regional Director or designee is authorized to waive a PSF. A request for waiver of a PSF shall be submitted to the Regional Office via GroupWise form EMS 409, available on BOPDOCS. The form shall be completed as described below:

(1) This item should indicate the request is for waiver of a Public Safety Factor.

(2) This item should indicate whether the inmate agrees with the recommended team action. If appropriate, an explanation should be provided.

(3) This item should include current, complete, and accurate information concerning any medical problems the inmate is experiencing.

(4) This item should include a brief description of the inmate's adjustment during this period of incarceration.

(5) This item should provide disciplinary information including all actions reflected on the current Custody Classification Form (BP-338). Significant histories should be summarized.

(6) It is important that the rationale include complete and specific information providing justification to support the requested action.

(7) Indicate whether or not the inmate is eligible for a parole hearing. If yes, indicate the date of the hearing.

Table 7-1

<b>SECURITY DESIGNATION TABLE (MALES)</b>		
INMATE SECURITY LEVEL ASSIGNMENTS BASED ON CLASSIFICATION SCORE AND PUBLIC SAFETY FACTORS		
Classification Score	Public Safety Factors	Inmate Security Level
<b>0 - 5</b>	<b>No Public Safety Factors</b> Deportable Alien Greatest Severity Offense Sex Offender Threat to Government Officials Sentence Length Time remaining > 10 Yrs Time remaining > 20 Yrs Time remaining > 30 Yrs Includes non-parolable LIFE/ Death penalty cases Serious Escape Disruptive Group Prison Disturbance	<b>Minimum</b> Low Low Low Low Low Medium High Medium High High
<b>6 - 8</b>	<b>No Public Safety Factors</b> Serious Escape Sentence Length Time remaining > 20 Yrs Time remaining > 30 Yrs Includes non-parolable LIFE/ Death penalty cases Disruptive Group Prison Disturbance	<b>Low</b> Medium Medium High High High
<b>9 - 14</b>	<b>No Public Safety Factors</b> Disruptive Group Prison Disturbance Sentence Length Time remaining > 30 Yrs Includes non-parolable LIFE/ Death penalty cases	<b>Medium</b> High High High
<b>15 +</b>		<b>High</b>

**Table 7-2**

<b>SECURITY DESIGNATION TABLE (FEMALES)</b>		
INMATE SECURITY LEVEL ASSIGNMENTS BASED ON CLASSIFICATION SCORE AND PUBLIC SAFETY FACTORS		
Classification Score	Public Safety Factors	Inmate Security Level
<b>0 - 10</b>	<b>No Public Safety Factors</b> Deportable Alien Sex Offender Threat to Government Officials Violent Behavior Prison Disturbance Serious Escape	<b>Minimum</b> Low Low Low High High High
<b>11 - 21</b>	<b>No Public Safety Factors</b> Violent Behavior Prison Disturbance Serious Escape	<b>Low</b> High High High
<b>22 +</b>		<b>High</b>

## **MANAGEMENT VARIABLES**

Management Variables are applied to reflect and support the professional judgment of Bureau staff in order to ensure placement in the most appropriate security level institution. They are required when placement has been made and/or maintained at an institution level inconsistent with the inmate's scored security level. Application of a Management Variable requires review and approval by the Regional Director or designee. When completing the BP-338, institution staff may only enter a Management Variable which the Designator previously approved and entered as a management reason. Otherwise, the Designator or designee is the only person authorized to enter a variable. A maximum of three Management Variables may be entered for each case.

**Note:** SENTRY will not permit the simultaneous application of the Greater Security and Lesser Security MGTVs.

When a Management Variable no longer applies, institution staff are to remove the variable(s) accordingly. When no Management Variable is required, institution staff are to insert the letter "A" (NONE) in the space to signify that no MGTV(s) apply. Management Variables entered at initial designation are automatically transferred onto the BP-338, Custody Classification form.

**Request for Management Variable/Management Variable expiration date.** All requests to apply a Management Variable (MGTV) or to update the Management Variable Expiration Date (MVED) must be submitted to the appropriate Designator via GroupWise using form EMS 409. (Individual Regional Offices may request additional information.) Requests for Management Variables on WITSEC inmates are to be forwarded to the Inmate Monitoring Section in the Central Office. The following criteria are to be used:

a. Only Regional, CCM, or Central Office staff can apply a MGTV and update a MVED, with the exception of "I" (Med/Psych), which are to be applied and reviewed by the Central Office Medical Designator and "U" (Mariel Cuban Detainee), which are to be applied by the Community Corrections and Detention Division, Central Office.

\* b. When requesting a MGTV or an updated MVED, only section 4 needs to be addressed on the GroupWise form EMS 409. This request should normally be made to the appropriate Designator within 15 calendar days following the inmate's scheduled program review to ensure the Designator is receiving a current Custody Classification Form, BP-338. After approval by the Warden, the

\*



request may be routed from the unit terminal, and unit staff must enter a DST assignment using the Update Transaction. Staff will enter W MGTV as a DST assignment when the request is routed. The Regional Office staff will remove the assignment when the decision is made.

\* c. When requesting an updated MVED, staff are to indicate the recommended expiration date on the top portion of form EMS 409. \*

d. When a case with the MGTV of "I" (Med/Psych) is scheduled for review and it is anticipated that this MGTV is no longer applicable, institution staff are to complete all sections of EMS 409 form and forward the request to the Central Office Medical Designator and the appropriate Regional Office. The Central Office Medical Designator will review the case for continuation or deletion of this MGTV. If this MGTV is no longer appropriate, the Central Office Medical Designator will remove the MGTV. After the Central Office Medical Designator removes the MGTV "I," the Regional Office is to review the case for transfer. If a transfer is not appropriate, another MGTV is to be applied.

Expiration dates are to be assigned in accordance with Table 7-3. The Regional Director, or designee, must evaluate the information on the EMS 409 form to determine the appropriate expiration date for all applicable Management Variables. At the established expiration date, case management staff are to review the current Management Variable(s) to determine appropriateness. In the rare instance when more than one MGTV is applied, all expiration dates will be displayed on the BP-338. When running a SENTRY roster, each MGTV and corresponding MVED will be displayed. Inmates housed in contract facilities are excluded from this review process.

**Management Security Level (MSL).** Upon application of any of the following Management Variables: PSF Waived; Greater Security; Lesser Security, the Designator is to apply an overriding Management Security Level (MSL) to reflect the inmate's assessed security needs. This MSL takes precedence over the security level reflected in SENTRY which is based upon the scored security level and the application of Public Safety Factors. Designation must be made to a DFCL commensurate with the inmate's security needs as reflected in the Management Security Level. **If there is an extenuating circumstance in which an inmate's designation facility is inconsistent with his or her MSL, at least one additional non-MSL MGTV must be added to support and explain the inconsistency.**

<u>CODE</u>	<u>DESCRIPTION - MGTV</u>
A	<b>NONE.</b> No Management Variables apply. Institution staff are permitted to enter this item.
B	<b><u>JUDICIAL RECOMMENDATION.</u></b> A court may recommend a specific institution or program. When consistent with Bureau of Prisons' policies or when such actions are consistent with sound correctional management, the Bureau of Prisons attempts to satisfy judicial recommendations. When this is not feasible, the court is notified in writing with an explanation outlining the reasons for not satisfying that recommendation. <b>When the judicial recommendation is the deciding factor causing placement outside normal guidelines, this Management Variable shall apply.</b>
D	<b><u>RELEASE RESIDENCE.</u></b> It is the practice of the Bureau of Prisons to attempt to place each inmate in an institution that is reasonably close to the anticipated release area. Ordinarily, placement within 500 miles of the release area is to be considered reasonable, regardless of whether there may be an institution closer to the inmate's release area. This Management Variable can also apply to inmates who are within 18-24 months from release. <b>This Management Variable shall apply when placement of the inmate in close proximity to the release residence is the determining factor in making the designation and causes placement outside normal guidelines.</b>
E	<b><u>POPULATION MANAGEMENT.</u></b> Situations may occur in which an inmate requires housing in a facility which is not commensurate with his or her security level. Following are example situations: facility activation; population pressures affecting available appropriate-level bed space within 500 miles of the inmate's anticipated release residence; gang/security concerns. <b>When population management causes placement outside normal guidelines, this Management Variable shall apply.</b>
G	<b><u>CENTRAL INMATE MONITORING ASSIGNMENT.</u></b> Pursuant to the CIM Program Statement, some inmates, for specified reasons, need to be monitored or separated from others. Sometimes these special management concerns limit the options for placement. <b>When the CIM assignment causes</b>

**CODE**                    **DESCRIPTION - MGTV**

placement outside normal guidelines, this Management Variable shall apply.

**I**                    **MEDICAL OR PSYCHIATRIC.** An inmate who has a history of or is presently exhibiting psychiatric problems may need an initial designation to a psychiatric referral center. Similarly, documented information reflecting that the inmate may need medical or surgical treatment may require a designation to a medical referral center. Designations and redesignations of these inmates shall be made by the Central Office Medical Designator. **When the need for medical/psychiatric treatment causes placement outside normal guidelines, this Management Variable shall apply.**

**N**                    **PROGRAM PARTICIPATION.** Occasionally, inmates become involved in specialized programs which are only available on a limited basis, or at specific institutions; in such instances, it might be appropriate to delay transfer pending completion of the program. Likewise, an inmate's ability to participate in a unique program may require placement at an institution not commensurate with his or her security level. **Accordingly, when an inmate's security level changes during participation in a special program not likely to be available in another appropriate facility, causing placement outside normal guidelines, this Management Variable shall apply.**

**R**                    **WORK CADRE.** At secure facilities without satellite camps, the Regional Director may authorize a certain number of work cadre inmates to perform work outside the perimeter of the institution. **In some cases, placement may be outside normal guidelines, and this Management Variable shall apply.**

**S**                    **PSF WAIVED.** An inmate may receive up to three Public Safety Factors (PSFs). PSFs may be waived after review and approval by the Regional Director or designee. **When Public Safety Factors are waived causing placement outside normal guidelines, this Management Variable shall apply.** Application of this MGTV mandates that the Regional Director determine the most appropriate level of security required by the inmate and apply a Management Security Level (MSL). The MSL must be at

**CODE**                      **DESCRIPTION - MGTV**

least one level less than the scored security level which is based on the Security Total and Public Safety Factor(s).

**U**                      **MARIEL CUBAN DETAINEE**. Mariel Cuban Detainees are given an initial custody and security level. However, Custody Classification Forms are not completed on Mariel Detainees due to the unavailability of certain data at designation (i.e., current term of confinement, length of time remaining to serve, accurate criminal history). Therefore, transfers for positive or negative behavior may cause placement of a Mariel Detainee in a facility different from his or her initial security or custody level.

**This Management Variable shall be applied by the Community Corrections and Detention Division, Central Office.**

**Mariel Cuban Detainees whose security or custody level does not match that of their facility will have this Management Variable applied.** Sentenced Mariel Cuban inmates will only have this Management Variable added if they are ordered detained upon expiration of their federal sentences and their security or custody level does not match that of their facility.

**V**                      **GREATER SECURITY**. There may be security concerns which are not adequately reflected in the classification scheme. **In circumstances where an inmate represents a greater security risk (i.e., pending charges, detainer, escape risk but no DHO finding, etc.) than their assigned security level, they may be placed in an institution outside normal guidelines, and this Management Variable shall apply.** When this MGTV is applied based on institutional behavior which is **not** supported by a UDC/DHO finding of guilt, staff shall ensure compliance with the criteria as set forth in the Program Statement on Inmate Discipline and Special Housing Units. Application of this MGTV mandates the Regional Director or designee to determine the most appropriate level of security required by the inmate and apply a Management Security Level (MSL). Designation shall then be made to a DFCL commensurate with the inmate's Management Security Level. The MSL

**CODE**            **DESCRIPTION - MGTV**

must be at least one level greater than the scored security level which is based on the Security Total and Public Safety Factor(s).

**W**            **LESSER SECURITY.** There may be security concerns which are not adequately reflected in the classification scheme. **In circumstances where an inmate represents a lesser security risk (i.e., detainer removed, positive adjustment, etc.) than their assigned security level, the inmate may be placed in an institution outside normal guidelines, and this Management Variable shall apply.** Application of this MGTV mandates the Regional Director or designee to determine the most appropriate level of security required by the inmate and apply a Management Security Level (MSL). The MSL must be at least one level less than the scored security level which is based on the Security Total and Public Safety Factor(s).

**DISCONTINUED MANAGEMENT VARIABLES**

<b>C</b>	Age
<b>F</b>	Racial Balance
<b>H</b>	Voluntary Surrender
<b>J</b>	Custody
<b>K</b>	Detainer
<b>L</b>	Discipline
<b>M</b>	Grandfather Clause
<b>O</b>	Security
<b>P</b>	Sentence Limitation
<b>Q</b>	Sliding Scale

**Table 7-3**

MANAGEMENT VARIABLE EXPIRATION TABLE		
CODE	DESCRIPTION	LENGTH
A	None	N/A
B	Judicial Recommendation	N/A
D	Release Residence/Planning	N/A
E	Population Management	Up to 18 months**
G	Central Inmate Monitoring Assignment	N/A
I	Medical/Psychiatric	6 months
N	Program Participation	Up to 18 months, at the discretion of the Regional Director**
R	Work Cadre	N/A
S	PSF Waived*	N/A (However, if an inmate is transferred to a more secure institution based on behavior related to the waived PSF, this MGTV shall be removed.)
U	Maribel Cuban Detainee	N/A
V	Greater Security*	At the discretion of the Regional Director upon recommendation from institution staff (can be extended indefinitely)***
W	Lesser Security*	N/A

\* = requires application of a Management Security Level (MSL)

\*\* = if no expiration date is entered, SENTRY will default to an expiration date 12 months in advance

\*\*\* = any valid SENTRY date may be entered; if no date is entered, SENTRY will default to N/A

<b>CUSTODY CLASSIFICATION FORM INSTRUCTIONS - MALE (BP-338)</b>
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## **INTRODUCTION**

Custody classification is a procedure whereby inmates are assigned levels according to their criminal histories and institutional behavior/adjustment. An inmate's custody level is an indication of how much staff supervision is required for an inmate within and beyond the confines of the institution.

An inmate's initial custody classification shall be scored at the first program review following initial classification (approximately 7 months after arrival at an institution). Subsequent reviews shall occur at least every 12 months, but may be conducted earlier in order to enable progress toward community activities. Custody classification shall ordinarily occur in conjunction with every second program review.

Ordinarily, an inmate's security level and custody level shall be reviewed following any new sentence or sentence reduction, or any time a change in external factors or disciplinary action might affect the security or custody level.

When transferring to another institution, inmates normally retain their custody assignments. If the custody level is inconsistent with that authorized at the receiving institution, the sending institution shall change the inmate's custody prior to transfer. Holdovers shall retain their custody level assignments until received at the designated institution.

At each annual custody review, a new Custody Classification Form shall be completed, even though the scoring elements may not have changed from the previous form. Only the most current Custody Classification Form shall be retained in the Inmate Central File, except for those forms that must be retained to document appropriate review and approval for custody reductions (e.g., custody reductions for exception cases require the Warden, or designee, to sign the Custody Classification Form. The form should be maintained to document the review and approval).

It should be clearly understood that the Custody Classification Form only recommends an inmate's custody. The unit team and/or Warden is the final review authority. The intent of the Custody Classification system is to permit staff to use professional judgment within specific guidelines. Custody changes are not dictated by the point total. However, when the unit team decides not to follow the recommendation of the point total, they must

document the reason(s) for this decision in writing on the custody review form, and inform the inmate.

#### **SECTION A - IDENTIFYING DATA**

1. **INSTITUTION CODE.** (Automatically displayed by SENTRY.)
2. **UNIT.** (Automatically displayed by SENTRY.)
3. **DATE.** (Automatically displayed by SENTRY.)
4. **NAME.** (Automatically displayed by SENTRY.)
5. **REGISTER NUMBER.** (Automatically displayed by SENTRY.)
6. **CRIMINAL HISTORY POINTS.** If points were entered on the BP-337, they should transfer over to the BP-338, if the item is blank, a manual entry must be made. Record the criminal history points as identified in the Criminal History Computation section of the PSI. (**This is not to be confused with Criminal History Category, Base Offense Level, or Total Offense Level.**) Enter the number, including zero, indicated by the Probation Officer. If no criminal history points are provided by the USPO, enter unknown (UNK) in the space provided. This is not a scored item affecting the inmate's security or custody score. It is information which the Bureau's Office of Research and Evaluation will track and analyze.
7. **MANAGEMENT VARIABLES.** See Chapter 7, pages 9-15.
8. **PUBLIC SAFETY FACTORS.** See Chapter 7, pages 1-8.

#### **SECTION B - BASE SCORING**

1. **TYPE OF DETAINER.** Enter the appropriate number of points in the box in the right-hand column to reflect detainer status. Refer to the Offense Severity Scale (Appendix B). If multiple detainers have been filed, enter the point value for the most serious charge. Frequency and sentence length are not considered.

The scoring of detainers on the Update Security Designation (BP-337) may differ from the score received on the Custody Classification Form (BP-338). If there is a pending charge, points based on the documented behavior are assigned on the type of detainer item; if the pending charge involves a probation violation, use the most severe documented behavior in the original offense as the basis for assigning points in the



detainer scoring. At the next scheduled custody review after the initial BP-338 (18-19 months) is prepared and at subsequent reviews, only formally filed detainers are considered on the Custody Classification Form. Score consecutive state sentences, lodged state detainers and/or state parole violation terms/warrants as detainers.

a. Score a concurrent **state** sentence, as a detainer only if it is expected that the state sentence shall exceed the federal sentence and the state has formally filed a detainer. Other formally filed state pending charges, consecutive sentences, and/or parole violation term/warrants shall be scored as detainers.

b. **No points shall be awarded for U.S. Parole Commission warrants (adjudicated or unadjudicated).** However, original offense behavior shall be scored as a prior and the violation behavior (including new offense behavior) shall be scored as the current offense.

c. No points shall be assigned for INS detainers. However, each case shall be carefully reviewed to determine whether the PSF for Deportable Alien is applicable.

d. If the formally filed detainer involves a **probation** violation, use the most severe documented behavior in the **original offense** as the basis for assigning points in the detainer scoring chart below.

Table 8-1

TYPE OF DETAINER	
POINTS	DETAINDER OFFENSE LEVEL
0	None/Deportation
1	Lowest and Low Moderate Severity
3	Moderate Severity
5	High Severity
7	Greatest Severity

2. **SEVERITY OF CURRENT OFFENSE.** Enter the appropriate number of points in the box at the right-hand column to reflect the most severe documented instant offense **behavior**. For multiple offenses, the highest score will be used in scoring the current

offense. Staff shall consider the offense behavior of all sentences, including federal sentences that have a future beginning date or a *prior* state or D.C. sentence if there was no **physical** release from custody.

Severity is determined by using the Offense Severity Scale (Appendix B). Do not use this information to assign points on the "history" items (numbers 5 and 6 on the Custody Classification Form).

In determining "Severity of Current Offense" staff shall review the Statement of Reasons, if provided, (attachment to the Judgment) and ensure the information provided is appropriately used in classifying the inmate.

Table 8-2

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
0	Lowest Severity
1	Low Moderate Severity
3	Moderate Severity
5	High Severity
7	Greatest Severity

**Example:** According to the PSI, the individual was involved in an Assault With Serious Injury (Greatest severity level) but pled guilty to a Simple Assault (Moderate severity level). Assign the points on the basis of the more severe documented behavior, i.e., assign 7 points (Greatest severity level). Do not use the current term of confinement information to assign points on the "history" items (numbers 10 and 11 on the Security Designation Data section of the BP-337).

**PROCEDURES FOR PAROLE, MANDATORY RELEASE, SPECIAL PAROLE TERM,  
OR SUPERVISED RELEASE VIOLATOR**

a. If the violation was the result of new criminal conduct, regardless of conviction status, use the new criminal conduct for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale). If the violation behavior was a technical violation, score the "Severity of Current Offense" as low moderate.

b. The original offense behavior which occurred prior to the violation is considered past behavior and is not used in determining "Severity of Current Offense."

#### PROCEDURES FOR PROBATION VIOLATOR

a. The original offense behavior that resulted in probation should be used for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale).

b. However, if the new criminal conduct (violation behavior) is more severe than the original offense behavior, then use this behavior for scoring "Severity of Current Offense." **THE MOST SEVERE DOCUMENTED BEHAVIOR BETWEEN THE ORIGINAL OFFENSE AND THE VIOLATION BEHAVIOR IS TO BE USED FOR SCORING "SEVERITY OF CURRENT OFFENSE."**

3. **MONTHS TO RELEASE DATE.** If there is a current and valid Sentence Computation in SENTRY, SENTRY will automatically enter the number of months remaining into this field. This item does not affect the inmate's security or custody score. If however, there is not a complete Sentence Computation/Projected Release Date in SENTRY, this entry must be manually computed. An entry in this field prompts the Sentence Length PSF.

4. **TYPE OF PRIOR COMMITMENTS.** In the right-hand column, enter the appropriate number of points reflecting the category of **prior commitment** history. This is determined by **prior institution incarceration** and is based on the most severe offense behavior (using the Offense Severity Scale, Appendix B) which resulted in commitment. If an inmate is currently serving concurrent and/or consecutive sentences, whether they are federal, D.C., state, or local, none of the other sentences are to be scored as priors until there has been a break in service, i.e., **physical** release. Review the definition and examples in Chapter 2 for further instruction. Commitment is defined as any term for which the individual has been confined and is scored as follows:

- Minor = Lowest or Low Moderate
- Serious = Moderate, High, or Greatest

Documented information from juvenile or YCA adjudications can be used, unless the record has been expunged or vacated.

Table 8-3

TYPE OF PRIOR COMMITMENTS	
POINTS	TYPE
0	None
1	Minor
3	Serious

**Example:** If an inmate has a previous incarceration for a crime which falls in the High category on the Offense Severity Scale (Appendix B), the incarceration would be considered "Serious" and would be scored 3 points in the box in the right-hand column.

5. **HISTORY OF ESCAPE OR ATTEMPTS.** Enter the appropriate number of points in the right-hand column to reflect the escape history of the individual **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). Escape history includes the individual's entire background of escapes or attempts to escape from confinement, or absconding from community supervision, **excluding the current term of confinement;**

**(\*\*EXCEPTION:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement is to be scored as a history item.\*\*)

**State disciplinary findings are to be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

Failure to Appear for misdemeanor traffic (automobile) violations, and runaways from foster homes are not to be scored. However, Failure to Appear for or Flight to Avoid Prosecution for serious offenses involving the operation of an automobile, such as Vehicular Homicide or Leaving the Scene of an Accident that resulted in serious bodily harm shall be counted **when there is a documented finding of guilt.**

In determining time frames, use the date of the documented occurrence. Documented information from juvenile or YCA adjudications can be used unless the record has been expunged or vacated.

**Table 8-4**

HISTORY OF ESCAPE OR ATTEMPTS		
POINTS	HISTORY	DEFINITION
0	None	No history of escape
1	> 10 Minor	An escape from an open institution or program (e.g., minimum security facility, CCC, furlough) not involving any actual or threat of violence. Also includes military AWOL, Bail Reform Act, Flight to Avoid Prosecution, and Absconding from Community Supervision. <b>There must be a finding of guilt.</b>
2	5 - 10 Minor	
3	< 5 Minor	
S *	Any Serious Escape Regardless of time period	<p>An escape from secure custody with or without threat of violence. Also includes escapes from an open facility or program with actual threat of violence. <b>There must be a finding of guilt.</b></p> <p>* S = 3 pts. and requires application of PSF (L)</p>

**Example:** An inmate was sentenced for Failure to Appear while on bail for the current offense. The individual was also found guilty for escape from a county jail six years ago by sawing through the bars. Exclude Failure to Appear because it is a part of the current offense. Include escape from county jail (serious) = 3 points. Enter S in the box in the right-hand column and add the Serious Escape PSF.

**6. HISTORY OF VIOLENCE.** Enter the appropriate number of points in the right-hand column to reflect any history of violence, **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). This item includes the individual's entire background of criminal violence, **excluding the current term of confinement;**

**(\*\*EXCEPTION:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement is to be scored as a history item.\*\*)

**State disciplinary findings are to be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

Severity of violence is defined according to the offense behavior which resulted in a **conviction or finding of guilt**. History of Violence points combine both seriousness and recency of prior violent incidents to measure risk for violent behavior, where more points mean greater risk. Therefore, if there is more than one incident of violence, score the combination of seriousness and recency that yields the highest point score. Prior periods \* of incarceration will be considered a "history" item if the inmate was **physically** released from custody and then returned to serve either a violation or a new sentence. In determining time frames, use the date of the documented behavior. Documented information from juvenile or YCA adjudication can be used unless the record has been expunged or vacated.

**Table 8-5**

HISTORY OF VIOLENCE		
POINTS	YEARS	DEFINITION
0	None	No history of violence
1	> 10 Minor	Aggressive or intimidating behavior which <b>is not</b> likely to cause serious bodily harm or death (e.g., simple assault, fights, domestic disputes, etc.) <b>There must be a finding of guilt.</b>
3	5 - 10 Minor	
5	< 5 Minor	
2	> 15 Serious	Aggressive or intimidating behavior which <b>is</b> likely to cause serious bodily harm or death (e.g., aggravated assault, domestic violence, intimidation involving a weapon, incidents involving arson or explosives, rape, etc.). <b>There must be a finding of guilt.</b>
4	10 - 15 Serious	
6	5 - 10 Serious	
7	< 5 Serious	

**Example:** If an offender was found guilty of homicide 20 years ago and a simple assault 3 years ago, assign 5 points for the simple assault. Or in another case, the offender had guilty findings for homicide 12 years ago; aggravated assault 8 years ago; and fighting 2 years ago, score 6 points for the aggravated assault 8 years ago.

**Note:** Attempted suicide, self-mutilation and possession of weapons are not applicable behaviors for History of Violence scoring. In addition, verbal threats (such as Code 203-Threatening Bodily Harm) are to be viewed as minor violence.

7. **PRECOMMITMENT STATUS.** This item refers to the inmate's status preceding, during, and following trial. Enter the appropriate number in the right hand column. Note that this number is subtracted from the total of the preceding items.

**Table 8-6**

PRECOMMITMENT STATUS		
POINTS	STATUS	DEFINITION
0	Not Applicable	Inmate was not released on Own Recognizance (OR) and did not voluntarily surrender.
R (-3)	Own Recognizance	<p><u>Award credit for the following:</u> Inmate was released prior to or during the trial period without posting bail or incurring any financial or other type of obligation to ensure appearance.</p>
V (-3)	Voluntary Surrender	<p>Inmate was not escorted by a law enforcement officer to either the U.S. Marshals office or the place of confinement.</p> <p>This applies only to <b>post-sentencing</b> voluntary surrender, and does not include cases where the inmate surrendered to the U.S. Marshals on the same day as sentencing.</p> <p><u>Do not award credit for the following:</u> If there is any indication of bail violation, failure to appear, etc.</p> <p>If inmate violated or did not successfully complete release period</p> <p>Electronic Monitoring cases or pretrial CCC (bond) placement</p> <p>Military inmates who were not confined, but were restricted in movement on the military reservation</p>

8. **BASE SCORE.** Enter the numerical result of the subtraction of Item 7 (Pre-commitment Status) from Items 1 - 6. If Item 7 is greater than the total of Items 1 - 6, enter zero in the box in the right-hand column.



**SECTION C - CUSTODY SCORING**

- \* 1. **PERCENTAGE OF TIME SERVED.** Enter in the right-hand column \* the number of points that reflects the percentage of time the inmate has already served on the present commitment at the time of the review. To determine the percent, divide the number of months already served on the present sentence by the number of months of incarceration the inmate will have served upon reaching his projected release date. If applicable, give credit for jail time.

**Table 8-7**

PERCENTAGE OF TIME SERVED	
POINTS	PERCENTAGE OF TIME SERVED
3	0 through 25 percent
4	26 through 75 percent
5	76 through 90 percent
6	91 plus percent

**Example:** An inmate has served 15 months (14 months at the institution, plus credit for one month jail time) of an anticipated total of 78 months of confinement.

$$\frac{\text{Actual Time Served}}{\text{Anticipated Time in confinement}} = \frac{15}{78} = 19.2\%$$

Enter "3" in the box in the right-hand column, since 3 represents a range of 0 to 25%.

2. **DRUG/ALCOHOL ABUSE.** Enter in the right-hand column the appropriate number of points reflecting drug or alcohol abuse.

**Table 8-8**

DRUG/ALCOHOL ABUSE	
POINTS	ABUSE
2	Within the past 5 years (including this incarceration)
3	More than 5 years ago (including this incarceration)
4	Never or occasional legal use

- Example:** 1. An inmate was found guilty by the UDC or DHO of being intoxicated two years ago. Enter 2 in the right-hand column.
2. An inmate was convicted of Drug Trafficking one year ago. His PSI reflects no history of drug use, but an enjoyment of social drinking on a periodic basis. Enter 4 in the right-hand column.
3. An inmate was convicted of Drug Trafficking one year ago. The inmate admits to periodic and social use of marijuana 10 years ago. Enter 3 in the right-hand column.
4. The inmate was convicted of Drug Trafficking. He has no illegal substance abuse history (including no excessive use of alcohol). Enter 4 in the right-hand column.

3. **MENTAL/PSYCHOLOGICAL STABILITY.** Enter the appropriate number of points in the right hand column reflecting the inmate's mental health status. This is based on the Psychology Services Screening Report regarding the inmate's degree of mental stability. The conclusion should be clearly stated in the report and is to be interpreted in light of whether or not the inmate is appropriate for a lower custody/security status.

**Table 8-9**

MENTAL/PSYCHOLOGICAL STABILITY	
POINTS	STABILITY
2	Unfavorable
4	No referral or favorable report

If an inmate's most current Psychology Services Screening report is both "unfavorable" and over one year old, an updated report must be provided before the custody review. If the report is "favorable" and over one year old, an updated report may or may not be requested at the team's option; if it is less than one year old, an updated report need not be requested. Psychiatric and/or Psychological reports shall be appropriately identified to avoid any possible misinterpretation.

An "unfavorable report" means that the most current report contains a finding that the individual shows evidence of serious mental instability. A "favorable report" means that no finding of serious mental instability was made in the most recent report. "No referral" means the case was not referred for evaluation.

**Example:** In the past year, an inmate has not been referred for a psychological/psychiatric evaluation. Therefore, "4" is entered in the right-hand column.

**4. TYPE AND NUMBER OF MOST SERIOUS INCIDENT REPORT(S).** Enter the points which reflect the most serious disciplinary report(s). This is determined by using the Institution Disciplinary Codes and Sanctions Severity Scale. Points are assigned based on the most severe disciplinary report(s) for which the inmate has been found guilty by either the Unit Disciplinary Committee (UDC) or the Discipline Hearing Officer (DHO), within the specified time frames. Points are to be assigned only for the current period of incarceration and in accordance with the following table:

**Table 8-10**

TYPE AND NUMBER OF MOST SERIOUS INCIDENT REPORT(S)	
POINTS	TYPE AND NUMBER OF MOST SERIOUS REPORTS
0	Any GREATEST severity (100) within past ten years
1	More than one HIGH severity (200) within two years
2(a)	Only one HIGH severity (200) within past two years
2(b)	More than one MODERATE severity (300) within the past year
3(a)	Only one MODERATE severity (300) within the past year
3(b)	More than one LOW MODERATE severity (400) within the past year
4	Only one LOW MODERATE severity (400) within the past year
5	None

**Example (1).** If an inmate has been found guilty of three HIGH severity incident reports within the past two years, he would receive a score of "1." If the inmate has only received one HIGH severity incident report within the past two years, the inmate would receive a score of "2(a)."

**Note:** Greatest severity incident reports merit a score of "0" regardless of the total number received in the last ten years.

The letter characters assigned to numerical scores 2 and 3 are merely used to differentiate between these items which have identical numerical values. The letter character is not used for computation.

**Note:** For supervised release, mandatory release, and parole violators, incident reports received during a previous period of confinement should be used, if they apply, for scoring "History of Escape or Violence," and "Drug/Alcohol Abuse." However, incident reports received during a previous period of confinement shall not be counted when scoring "Type and Number of Most Serious Incident Reports" and "Frequency of Most Serious Incident Reports Within the Last Year" since this behavior occurred during a previous period of confinement. Only incident reports received during the current supervised release and parole violator term shall be counted in these categories.

**5. FREQUENCY OF DISCIPLINARY REPORTS.** Enter the appropriate number of points in the right-hand column that reflect the frequency of disciplinary reports.

This is determined by assigning points based on the number of disciplinary reports for which the inmate has been found guilty by either the Unit Discipline Committee or the Discipline Hearing Officer during the past 12 months.

**Table 8-11**

FREQUENCY OF DISCIPLINARY REPORTS	
POINTS	FREQUENCY WITHIN THE PAST 12 MONTHS
0	Six plus reports
1	Two through five reports
2	One report
3	None

**6. RESPONSIBILITY DEMONSTRATED.** Enter the appropriate number of points reflecting the inmate's demonstrated level of responsibility during the past 12 months. This is based on the inmate's general demeanor as reflected in peer group associates, degree of program involvement, level of dependability, and nature of interaction with staff and other inmates. Also considered for this item is the degree of financial responsibility the inmate has demonstrated in attempting to satisfy legitimate financial obligations.

Do not use only the inmate's conduct record, though this should be considered when evaluating the inmate's overall level of responsibility.

**Table 8-12**

RESPONSIBILITY DEMONSTRATED	
POINTS	RESPONSIBILITY LAST 12 MONTHS
0	Poor
2	Average
4	Good

**Example:** An inmate has received no incident reports, but has demonstrated constant cell sanitation problems, has not become involved in any institution programs, and has not demonstrated a positive attitude. He should receive a score of "0" (poor).

**Note:** Inmates who refuse to participate in the Inmate Financial Responsibility Program or recommended Drug Education or Treatment Programs shall receive a score of "0" (poor). Refusal to participate in the Institution Release Preparation Program alone does not result in the inmate receiving a score of "0" (poor).

7. **FAMILY/COMMUNITY TIES.** Enter the number of points in the right-hand column that reflects the level of family and community ties. This is based on established and continuing family and community relationships that impact on the inmate's institutional adjustment. Consider marital status or common-law relationship, family support, regularity of visits, correspondence, family stability in the community, and the stability of relationships that the inmate has with non-family members in the community.

**Table 8-13**

FAMILY/COMMUNITY TIES	
POINTS	TYPE OF TIES
3	None or Minimal
4	Average or Good

8. **CUSTODY TOTAL.** Add the points in items 1 through 7, Section B, and enter the sum in this block.

9. **CUSTODY VARIANCE.** The Custody Variance is a mathematical adjustment to an inmate's total security points. The matrix below has a plus end (which adds points to the base score, thus raising the security level and increasing the custody) and a minus end (which subtracts points from the base score, thus lowering the security level and decreasing the custody).

As an inmate's adjustment improves within the institution, the higher his custody total and the longer an inmate is in the institution, the lower his base score becomes (his history is further in the past), therefore, lowering the inmate's security level and decreasing his custody.

If an inmate adjusts poorly to institution life, as well as poor adjustment to street life, then his base score will be high and his custody total will be low, which will add points to his base score thus increasing both his security level and custody.

**\*\*NOTE: THE BASE SCORE TOTALS (0-6 POINTS, 7-9 POINTS, 10-13 POINTS, 14-22 POINTS, 23-27 POINTS) ON THE CUSTODY VARIANCE TABLE AS LISTED BELOW ARE NOT INTENDED TO COINCIDE WITH THE CLASSIFICATION SCORE AS OUTLINED IN THE SECURITY DESIGNATION TABLE. THE CUSTODY VARIANCE TABLE IS A MATHEMATICAL SET OF RULES FOR GUIDANCE IN THE APPLICATION OF THE APPROPRIATE CUSTODY ASSIGNMENT.**

**Table 8-14**

CUSTODY TOTAL (Section C, Item 8)																						
CUSTODY VARIANCE		10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
B A S E  S C O R E	0 - 6 points	+8	+7	+6	+5	+5	+4	+3	+2	+2	+1	0	0	0	-1	-2	-2	-3	-4	-5	-5	-6
	7 - 9 points	+8	+7	+6	+5	+5	+4	+3	+2	+2	+1	0	0	0	0	-1	-2	-2	-3	-4	-5	-5
	10-13 points	+8	+7	+6	+5	+5	+4	+3	+2	+2	+1	0	0	0	0	0	-1	-2	-2	-3	-4	-5
	14-22 points	+8	+7	+6	+5	+5	+4	+3	+2	+2	+1	0	0	0	0	0	0	0	-1	-2	-2	-3
	23-27 points	+8	+7	+6	+5	+5	+4	+3	+2	+2	+1	0	0	0	0	0	0	0	0	-1	-2	-2

**Example:** An inmate has a Base Score of 14 points and a Custody Total of 17 points. By using the Custody Variance Matrix, the intersecting point for these two items is +3. Thus, +3 is the Custody Variance score that shall be entered on Item 9, Section C.

**10. SECURITY TOTAL.** Apply the Custody Variance Score to the Base Score, and enter the result on Item 10, Section C.

**Example:** An inmate has a Base Score of 14 and a Custody Variance Score of +3. By applying +3 to 14, a Security Total of 17 is obtained and entered on Item 10, Section C.

**Note:** If the Custody Variance score is 0, the figure entered shall be exactly the same as the Base Score. If the application of the Custody Variance to the Base Score results in a negative number, use 0.

**11. SCORED SECURITY LEVEL.** An inmate's Security Level is determined by the Security Total and any applicable Public Safety Factors (see Chapter 7).

12. **MANAGEMENT SECURITY LEVEL (MSL).** A Security Level which is entered by the Regional or Central Office upon application of any of the three MSL management variables (PSF Waived, Greater Security, Lesser Security). The MSL overrides the inmate's scored security level. If there was a previously entered MSL, it will automatically appear in this position.

13. **CUSTODY CHANGE CONSIDERATION.** To determine eligibility for a custody change, the following procedures apply:

- If the Custody Variance Score (Section C, Item 9) is in the plus (+) range, consider a custody increase.
- If the Custody Variance Score (Section B, Item 9) is 0, the inmate's present custody is continued.
- If the Custody Variance Score (Section B, Item 9) is in the minus (-) range, consider a custody decrease.

#### **SECTION D - INSTITUTION ACTION**

1. **TYPE OF REVIEW.** R = Regular or E = Exception

For regular cases, the unit team has authority to make custody assignments, and the Unit Manager is the signature authority on the BP-338. For exception cases, the Warden or designee is the approving official and retains signature authority for the BP-338 whenever there is a change in custody. An inmate should be handled as an exception case if there is documentation of the following:

- Public Safety Factors: Any inmate with a PSF. If the PSF has been waived the case is still considered an exception.
- Central Inmate Monitoring Assignment: An inmate with a CIM assignment, excluding state prisoners and separation cases.
- Other: The Warden may specify in writing other offenses or cases that require exception review.

2. **CURRENT CUSTODY.** Check the proper code for the inmate's current custody:

MAX = MAXIMUM, IN = IN, OUT = OUT, COM = COMMUNITY

3. **NEW CUSTODY.** Check the proper code for the inmate's new custody:



MAX = MAXIMUM, IN = IN, OUT = OUT, COM = COMMUNITY

As indicated below, the Custody Classification Form only recommends; the final decision rests with the review authority. With the exceptions noted previously in Item 1, Type of Review, the Unit team has the following options:

**Table 8-15**

BP-338 FORM RECOMMENDS	CLASSIFICATION TEAM OPTIONS
Custody Increase (+) range	Increase custody one level or Continue same custody assignment and document why
Custody Decrease (-) range	Decrease custody one level or Continue same custody assignment and document why
Continue Present Custody	Continue same custody assignment or Refer to the Warden (see below)

The custody level should normally be reduced or increased by only one level (i.e., a reduction of IN would be to OUT, not to COMMUNITY; an increase from COMMUNITY would be to OUT, not to IN). However, an exception regarding increases can be made for disciplinary cases involving prohibited acts of the Greatest Severity or escape, provided it is justified by the Unit team in a memo to the inmate's central file with a copy to the inmate.

Additionally, transfer to a CCC may require the custody level to be decreased more than one level. If the inmate is receiving a custody reduction solely for the purpose of transferring to a CCC, a new Custody Classification Form (BP-338) does not need to be completed. Approval for a decrease to COMMUNITY custody is granted by virtue of the Warden's approval and signature on the Institution Referral for CCC Placement (BP-210).

While it is mandatory that community custody be effected at the time of transfer, it may not be appropriate to reduce the inmate's custody level prior to the date of transfer (e.g., it would not be appropriate for an IN custody inmate at a MEDIUM security level institution to have COMMUNITY custody while still housed at the institution). In such cases, upon receipt of a CCC acceptance date, a SENTRY future assignment would be established for the date of transfer. The effective time for the reduction would be 12:01 AM. An inmate must be assigned COMMUNITY custody

status **prior** to transfer to a CCC. Unit staff will state the current custody status of the inmate if other than COMMUNITY on the Transfer Order in the Custody Classification section. Next to the current custody, unit staff will type "COMMUNITY custody effective \_\_\_\_\_. " (insert date the Warden deems appropriate).

If the Custody Variance (Section B, Item 9) is zero (Continue Present Custody), and the unit team believes that there is a compelling reason to change the inmate's custody, the unit team shall refer the case to the Warden, who is the deciding official.

4. **ACTION.** For exception cases only, the Warden or designee should check the appropriate box indicating either approval or disapproval of the unit team's decision. For regular cases, the unit team will take this action.

5. **DATE OF NEXT REVIEW.** Enter the month and year of the next scheduled review.

6. **CHAIRPERSON.** The Unit Manager shall print his or her name and sign the form in the space provided.

7. **WARDEN OR DESIGNEE.** This item is reserved for the Warden or designee's printed name and signature if the inmate is an exception case as defined in Item 1 of this section. If the Warden or designee disapproves, the reason shall be documented on the Custody Classification Form (BP-338) and a copy provided to the inmate.

8. **SUMMARY OF FINAL ACTION.** After all action is complete (exception cases signed off, etc.,) the final outcome shall be entered. Upon completion, the form is to be filed in the Inmate Central File, Section 2, and the appropriate custody assignment updated in SENTRY.

[illegible]

CUSTODY CLASSIFICATION FORM (BP-338)	
CUSTODY CLASSIFICATION - PAGE 2	
13. CUSTODY CHANGE CONSIDERATION A. IF CUSTODY VARIANCE SCORE (SECTION C, ITEM 9) IS IN THE (+) RANGE, CONSIDER A CUSTODY INCREASE B. IF CUSTODY VARIANCE SCORE (SECTION C, ITEM 9) IS IN THE (-) RANGE, CONSIDER A CUSTODY DECREASE C. IF CUSTODY VARIANCE SCORE (SECTION C, ITEM 9) IS ZERO, THE PRESENT CUSTODY SHOULD CONTINUE	
<b>SECTION D: INSTITUTION ACTION</b>	
1. TYPE OF REVIEW : (EXCEPTION OR REGULAR)	
2. CURRENT CUSTODY: (MAXIMUM, IN, OUT, COMMUNITY)	
3. NEW CUSTODY: (MAXIMUM, IN, OUT, COMMUNITY)	
4. ACTION: (APPROVE, DISAPPROVE)	
5. DATE OF NEXT REVIEW	
6. CHAIRPERSON'S NAME AND SIGNATURE	
7. FOR EXCEPTION REVIEW NAME (WARDEN OR DESIGNEE) AND SIGNATURE	
8. SUMMARY OF FINAL ACTION:	
SECURITY LEVEL	
CUSTODY	

**CUSTODY CLASSIFICATION FORM INSTRUCTIONS - FEMALE (BP-338)**

**INTRODUCTION**

Custody classification is a procedure whereby inmates are assigned levels according to their criminal histories and institutional behavior/adjustment. An inmate's custody level is an indication as to how much staff supervision is required for the inmate beyond the confines of the institution.

An inmate's initial custody classification shall be scored at the first program review following initial classification (approximately 7 months after arrival at an institution). Subsequent reviews shall occur at least every 12 months, (earlier at the unit team's discretion). Custody classification shall ordinarily occur in conjunction with program reviews.

Ordinarily, an inmate's security level and custody level shall be reviewed following any new sentence, sentence reduction, redesignation, or at any time a change in external factors or disciplinary action might affect the security or custody level.

When transferring to another institution, inmates shall normally retain their custody assignment. If the custody level is inconsistent with that authorized at the receiving institution, the sending institution shall change the inmate's custody prior to transfer. Holdovers shall retain their custody level assignments until received at the designated institution.

At each annual custody review, a new Custody Classification Form shall be completed, even though the scoring elements may not have changed from the previous form. Only the most current Custody Classification Form shall be retained in the central file, except for those forms that must be retained to document appropriate review and approval for custody reductions (e.g., custody reductions for exception cases require the Warden, or designee, to sign the Custody Classification Form. The form should be maintained to document the review and approval).

It should be clearly understood that the Custody Classification Form only recommends an inmate's custody. The unit team and/or Warden is the final review authority. The intent of the Custody Classification system is to permit staff to use professional judgment within specific guidelines. Custody changes are not dictated by the point total. However, when the unit team decides not to follow the recommendation of the point total, they must

document the reason(s) for this decision in writing on the Custody Classification Form, and inform the inmate.

#### **SECTION A - IDENTIFYING DATA**

1. **INSTITUTION CODE.** (Automatically displayed by SENTRY.)
2. **UNIT.** (Automatically displayed by SENTRY.)
3. **DATE.** (Automatically displayed by SENTRY.)
4. **NAME.** (Automatically displayed by SENTRY.)
5. **REGISTER NUMBER.** (Automatically displayed by SENTRY.)
6. **CRIMINAL HISTORY POINTS.** If points were entered on the BP-337, they should transfer over to the BP-338, if the item is blank, a manual entry must be made. Record the criminal history points as identified in the Criminal History Computation section of the PSI. (**This is not to be confused with Criminal History Category, Base Offense Level, or Total Offense Level.**) Enter the number, including zero, indicated by the Probation Officer. If no criminal history points are provided by the USPO, enter unknown (UNK) in the space provided. This is not a scored item affecting the inmate's security or custody score. It is information which will be tracked and analyzed by the Bureau of Prisons, Office of Research and Evaluation.
7. **MANAGEMENT VARIABLES.** See Chapter 7, pages 9-15.
8. **PUBLIC SAFETY FACTORS.** See Chapter 7, pages 1-8.

#### **SECTION B - BASE SCORING**

1. **TYPE OF DETAINER.** Enter the appropriate number of points in the box in the right-hand column to reflect detainer status. Refer to the Offense Severity Scale (Appendix B). If multiple detainers have been filed, enter the point value for the most serious charge. Frequency and sentence length are not considered.

The scoring of detainers on the Update Security Designation (BP-337) may differ from the score received on the Custody Classification Form (BP-338). If there is a pending charge, points based on the documented behavior are assigned on the type of detainer item; if the pending charge involves a probation violation, use the most sever documented behavior in the original

offense as the basis for assigning points in the detainer scoring. At the next scheduled custody review after the initial BP-338 (18-19 months) is prepared and at subsequent reviews, only formally filed detainers are considered on the Custody Classification Form. Score consecutive state sentences, lodged state detainers and/or state parole violation terms/warrants as detainers.

a. Score a concurrent state sentence as a detainer only if it is expected that the state sentence will exceed the federal sentence and the state has formally filed a detainer. Otherwise, consider the state sentence as a "history" item. State pending charges, consecutive sentences, and/or parole violation term/warrants shall also be scored as detainers.

b. **No points shall be awarded for U.S. Parole Commission warrants (adjudicated or unadjudicated).** However, original offense behavior shall be scored as a prior and the violation behavior (including new offense behavior) shall be scored as the current offense.

c. No points shall be assigned for INS detainers. However, each case shall be carefully reviewed to determine whether the PSF for Deportable Alien is applicable.

d. If the formally filed detainer involves a **probation** violation, use the most severe documented behavior in the **original offense** as the basis for assigning points in the detainer scoring chart below.

Table 9-1

TYPE OF DETAINER	
POINTS	DETAINDER OFFENSE LEVEL
0	None/Deportation
1	Lowest and Low Moderate Severity
3	Moderate Severity
5	High Severity
7	Greatest Severity

2. **SEVERITY OF CURRENT OFFENSE.** Enter the appropriate number of points in the box at the right-hand column to reflect the most severe documented instant offense **behavior**. Staff shall consider the offense behavior of all sentences, including federal

sentences that have a future beginning date or a *prior* state or D.C. sentence if there was no **physical** release from custody.

Severity is determined by using the Offense Severity Scale (Appendix B). Do not use this information to assign points on the "history" items (numbers 5 and 6 on the Custody Classification Form).

**In determining "Severity of Current Offense" staff shall review the Statement of Reasons, if provided, (attachment to the Judgment) and ensure the information provided is appropriately used in classifying the inmate.**

Table 9-2

SEVERITY OF CURRENT OFFENSE	
POINTS	SEVERITY
0	Lowest Severity
1	Low Moderate Severity
3	Moderate Severity
5	High Severity
7	Greatest Severity

**Example:** According to the PSI, the individual was involved in an Assault With Serious Injury (Greatest severity level) but pled guilty to a Simple Assault (Moderate severity level). Assign the points on the basis of the more severe documented behavior, i.e., assign 7 points (Greatest severity level). Do not use the current term of confinement information to assign points on the "history" items (numbers 10 and 11 on the Security Designation Data section of the BP-337).

**PROCEDURES FOR PAROLE, MANDATORY RELEASE, SPECIAL PAROLE TERM,  
OR SUPERVISED RELEASE VIOLATOR**

a. If the violation was the result of new criminal conduct, regardless of conviction status, use the new criminal conduct for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale). If the violation behavior was a technical violation, score the "Severity of Current Offense" as low moderate.



b. The original offense behavior which occurred prior to the violation is considered past behavior and is not used in determining "Severity of Current Offense."

#### **PROCEDURES FOR PROBATION VIOLATOR**

a. The original offense behavior that resulted in probation should be used for scoring "Severity of Current Offense" (see Appendix B - Offense Severity Scale).

b. However, if the new criminal conduct (violation behavior) is more severe than the original offense behavior, then use this behavior for scoring "Severity of Current Offense." **THE MOST SEVERE DOCUMENTED BEHAVIOR BETWEEN THE ORIGINAL OFFENSE AND THE VIOLATION BEHAVIOR SHALL BE USED FOR SCORING "SEVERITY OF CURRENT OFFENSE."**

3. **MONTHS TO RELEASE DATE.** If there is a current and valid Sentence Computation in SENTRY, SENTRY will automatically enter the number of months remaining into this field. This item does not affect the inmate's security or custody score. If however, there is not a complete Sentence Computation/Projected Release Date in SENTRY, this entry must be manually computed.

An entry in this field, whether automatic or manual, prompts SENTRY to compute the PERCENTAGE OF TIME SERVED item (Custody Item 1).

4. **PROJECTED LENGTH OF INCARCERATION.** Enter the appropriate number of points in the right-hand column reflecting the projected length of incarceration computed from the date of this review. Use the Projected Release Date as reflected in SENTRY. This becomes a measure of the amount of time the inmate has remaining to serve.

This may differ from the BP-337 Expected Length of Incarceration, since, for old law inmates, they may have earned Extra Good Time, Forfeited Good Time, or the U.S. Parole Commission may have set a date; and, for new law inmates, they may have earned Good Conduct Time.

For inmates sentenced to an indeterminate sentence, such as military, D.C., and other state sentences, use the Projected Mandatory Release date.

**Table 9-3**

PROJECTED LENGTH OF INCARCERATION	
POINTS	RANGE
0	0 - 12 months
1	13 - 59 months
3	60 - 83 months
5	84 - plus months
<b>Note:</b> All inmates serving a LIFE sentence for whom a parole date has not been established receive 5 points on this item and 540 is entered as the expected number of months to serve. Death penalty cases will be treated as LIFE sentences for scoring purposes.	

**Note:** Enter on Item 3 the exact number of months remaining to serve.

**Example:** An inmate has a 20 year sentence and a parole date has not been established. Her Projected Release date, as reflected in SENTRY, is 50 months from the date of this review. She is scored one point, and "1" is entered in the box in the right hand column. Additionally, "50 months" is entered on line 3.

**5. TYPE OF PRIOR COMMITMENTS.** In the right-hand column, enter the appropriate number of points reflecting category of **prior commitment** history. This is determined by **prior institution incarceration** and is based on the most severe offense behavior (using the Offense Severity Scale, Appendix B) which resulted in commitment. If an inmate is currently serving concurrent and/or consecutive sentences, whether they are federal, D.C., state, or local, none of the other sentences shall be scored as priors until there has been a break in service, i.e., **physical** release. Review the definition and examples in Chapter 2 for further instruction. Commitment is defined as any term for which the individual has been confined and is scored as follows:

- Minor = Lowest or Low Moderate
- Serious = Moderate, High, or Greatest

Documented information from juvenile or YCA adjudications can be used, unless the record has been expunged or vacated.

**Table 9-4**

TYPE OF PRIOR COMMITMENTS	
POINTS	TYPE
0	None
1	Minor
3	Serious

**Example:** If an individual has a previous incarceration for a crime which falls in the High category on the Offense Severity Scale (Appendix B), the incarceration would be considered Serious and would be scored 3 points in the box in the right-hand column.

**6. HISTORY OF ESCAPE OR ATTEMPTS.** Enter the appropriate number of points in the right-hand column to reflect the escape history of the individual **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). Escape history includes the individual's entire background of escapes or attempts to escape from confinement, or absconding from community supervision, **excluding the current term of confinement;**

**(\*\*Exception:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement is to be scored as a history item.\*\*)

**State disciplinary findings are to be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

Failure to Appear for misdemeanor traffic (automobile) violations, and runaways from foster homes are not to be scored. However, Failure to Appear for or Flight to Avoid Prosecution for serious offenses involving the operation of an automobile, such as Vehicular Homicide or Leaving the Scene of an Accident that resulted in serious bodily harm is to be counted **when there is a documented finding of guilt.**

In determining time frames, use the date of the documented occurrence. Documented information from juvenile or YCA adjudications can be used unless the record has been expunged or vacated.

**Table 9-5**

HISTORY OF ESCAPE OR ATTEMPTS		
POINTS	HISTORY	DEFINITION
0	None	No history of escape
1	> 10 Minor	An escape from an open institution or program (e.g., minimum security facility, CCC, furlough) not involving any actual or threat of violence. Also includes military AWOL, Bail Reform Act, Flight to Avoid Prosecution, and Absconding from Community Supervision. <b>There must be a finding of guilt.</b>
2	5 - 10 Minor	
3	< 5 Minor	
4	> 15 Serious	An escape from secure custody with or without threat of violence. Also includes escapes from an open facility or program with actual threat of violence. <b>There must be a finding of guilt.</b>
5	10 - 15 Serious	
6	5 - 10 Serious	
7	< 5 Serious	

**Example:** An inmate was sentenced for Failure to Appear while on bail for the current offense. The individual was also found guilty for escape from a county jail six years ago by sawing through the bars. Exclude Failure to Appear because it is a part of the current offense. Include escape from county jail (serious) = 6 points. Enter 6 in the box in the right-hand column and add the Serious Escape PSF.

- \* 7. **HISTORY OF VIOLENCE.** Enter the appropriate number of points\* in the right-hand column to reflect any history of violence, **considering only those acts for which there are documented findings of guilt** (i.e., DHO, Court, Parole, Mandatory Release, or Supervised Release Violation). This item includes the individual's entire background of criminal violence, **excluding the current term of confinement;**

**(\*\*Exception:** Any institution disciplinary hearing (UDC or DHO) finding of commission of a prohibited act committed during the current term of confinement is to be scored as a history item.\*\*)

**State disciplinary findings are to be scored unless** there is documentation that the state disciplinary proceedings did not afford due process protection to the inmate.

Severity of violence is defined according to the offense behavior which resulted in a **conviction or finding of guilt**. If there is more than one incident of violence, the most serious is used to determine severity. Prior periods of incarceration will be considered a "history" item if the inmate was **physically** released from custody and then returned to serve either a violation or a new sentence. In determining time frames, use the date of the documented behavior. Documented information from juvenile or YCA adjudication can be used unless the record has been expunged or vacated.

**Table 9-6**

HISTORY OF VIOLENCE		
POINTS	YEARS	DEFINITION
0	None	No history of violence
1	> 10 Minor	Aggressive or intimidating behavior which <b>is not</b> likely to cause serious bodily harm or death (e.g., simple assault, fights, domestic disputes, etc.) <b>There must be a finding of guilt.</b>
2	5 - 10 Minor	
3	< 5 Minor	
4	> 15 Serious	Aggressive or intimidating behavior which <b>is</b> likely to cause serious bodily harm or death (e.g., aggravated assault, domestic violence, intimidation involving a weapon, incidents involving arson or explosives, rape, etc.). <b>There must be a finding of guilt.</b>
5	10 - 15 Serious	
6	5 - 10 Serious	
7	< 5 Serious	

**Example (1):** If an inmate has a conviction resulting in a fine for being in a drunken fight 12 years ago, this would be scored as > 10 Minor, and "1" would be entered in the right hand column.

**Note:** Attempted suicide, self-mutilation and possession of weapons are not applicable behaviors for History of Violence scoring. In addition, verbal threats (such as Code 203-Threatening Bodily Harm) are to be viewed as minor violence.

- \* 8. **PRECOMMITMENT STATUS.** This item refers to the inmate's status preceding, during, and following trial. Enter the appropriate number in the right hand column. Note that this number is subtracted from the total of the preceding items. \*

**Table 9-7**

PRECOMMITMENT STATUS		
POINTS	STATUS	DEFINITION
0	Not Applicable	Inmate was not on own recognizance and did not voluntarily surrender.
-3	Own Recognizance (OR)	Inmate was released prior to, or during, the trial period without posting bail or incurring any financial or other obligation(s)* to ensure appearance. Ignore if there is any indication of bail violation, failure to appear, etc.  * Inmates who were not confined, but were restricted in movement are not entitled to credit (i.e., electronic monitoring or military cases).
-6	Voluntary Surrender	Inmate was not escorted by a law enforcement officer to either the U.S. Marshals office or the place of confinement. This applies only to <b>post-sentencing</b> voluntary surrender, and does not include cases where the inmate surrendered to the U.S. Marshals on the same day as sentencing. Ignore if the inmate violated or did not successfully complete the release period.

- \* 9. **BASE SCORE.** Enter the numerical result of the subtraction \* of Item 7 (Pre-commitment Status) from Items 1 - 6. If Item 7 is greater than the total of Items 1 - 6, enter zero in the box in the right-hand column.

\*

\*

## SECTION C - CUSTODY SCORING

1. **PERCENTAGE OF TIME SERVED.** If SENTRY has not automatically computed this item based on the Sentence Computation Data, enter in the right-hand column the number of points that reflects the percentage of time the inmate has already served on the present commitment at the time of the review. To determine the percent, divide the number of months already served on the present sentence by the number of months of incarceration the inmate shall have served upon reaching her projected release date. If applicable, give credit for jail time.

**Table 9-8**

PERCENTAGE OF TIME SERVED	
POINTS	PERCENTAGE OF TIME SERVED
3	0 through 25 percent
4	26 through 75 percent
5	76 through 90 percent
6	91 plus percent

**Example:** An inmate has served 15 months (14 months at the institution, plus credit for one month jail time) of an anticipated total of 78 months of confinement.

$$\frac{\text{Actual Time Served}}{\text{Anticipated Time in confinement}} = \frac{15}{78} = 19.2\%$$

Enter "3" in the box in the right-hand column, since 3 represents a range of 0 to 25%.

2. **DRUG/ALCOHOL ABUSE.** Enter in the right-hand column the appropriate number of points reflecting drug or alcohol abuse.

**Table 9-9**

DRUG/ALCOHOL ABUSE	
POINTS	ABUSE
2	Within the past 5 years (including this incarceration)
3	More than 5 years ago (including this incarceration)
4	Never or occasional legal use

- Example:**
1. An inmate was found guilty by the UDC or DHO of being intoxicated two years ago. Enter 2 in the right-hand column.
  2. An inmate was convicted of Drug Trafficking one year ago. Her PSI reflects no history of drug use, but an enjoyment of social drinking on a periodic basis. Enter 4 in the right-hand column.
  3. An inmate was convicted of Drug Trafficking one year ago. The inmate admits to periodic and social use of marijuana 10 years ago. Enter 3 in the right-hand column.
  4. The inmate was convicted of Drug Trafficking. She has no illegal substance abuse history (including no excessive use of alcohol). Enter 4 in the right-hand column.

3. **MENTAL/PSYCHOLOGICAL STABILITY.** Enter the appropriate number of points in the right hand column reflecting the inmate's mental health status. This is based on the Psychology Services Screening Report regarding the inmate's degree of mental stability. The conclusion should be stated clearly in the report and is to be interpreted in light of whether or not the inmate is appropriate for a lower custody/security status.



**Table 9-10**

MENTAL/PSYCHOLOGICAL STABILITY	
POINTS	STABILITY
2	Unfavorable
4	No referral or favorable report

If an inmate's most current Psychology Services Screening Report is both "unfavorable" and over one year old, an updated report must be provided before the custody review. If the report is "favorable" and over one year old, an updated report may or may not be requested at the team's option; if it is less than one year old, an updated report should not be requested. Psychiatric and/or Psychological reports shall be appropriately identified to avoid any possible misinterpretation.

An "unfavorable report" means that the most current report contains a finding that the individual shows evidence of serious mental instability. A "favorable" report means that no finding of serious mental instability was made in the most recent report. "No referral" means the case was not referred for evaluation.

**Example:** In the past year, an inmate has not been referred for a psychological/psychiatric evaluation. Therefore, "4" is entered in the right-hand column.

**4. TYPE AND NUMBER OF MOST SERIOUS INCIDENT REPORT(S).** Enter the points which reflect the most serious disciplinary report(s). This is determined by using the Institution Disciplinary Codes and Sanctions Severity Scale. Points are assigned based on the most severe disciplinary report(s) for which the inmate has been found guilty by either the Unit Disciplinary Committee (UDC) or the Discipline Hearing Officer (DHO), within the specified time frames.

Points are to be assigned only for the current period of incarceration and in accordance with the following table:

**Table 9-11**

TYPE AND NUMBER OF MOST SERIOUS INCIDENT REPORT(S)	
POINTS	TYPE AND NUMBER OF MOST SERIOUS REPORTS
0	Any GREATEST severity (100) within past ten years
1	More than one HIGH severity (200) within two years
2(a)	Only one HIGH severity (200) within past two years
2(b)	More than one MODERATE severity (300) within the past year
3(a)	Only one MODERATE severity (300) within the past year
3(b)	More than one LOW MODERATE severity (400) within the past year
4	Only one LOW MODERATE severity (400) within the past year
5	None

**Example (1).** If an inmate has been found guilty of three HIGH severity incident reports within the past two years, she would receive a score of "1." If the inmate has only received one HIGH severity incident report within the past two years, the inmate would receive a score of "2(a)."

**Note:** Greatest severity incident reports merit a score of "0" regardless of the total number received in the last ten years.

The letter characters assigned to numerical scores 2 and 3 are merely used to differentiate between these items which have identical numerical values. The letter character is not used for computation.

**Note:** For supervised release, mandatory release, and parole violators, incident reports received during a previous period of confinement should be used, if they apply, for scoring "History of Escape or Violence," and "Involvement with Drugs and Alcohol." However, incident reports received during a previous period of confinement shall not be counted when scoring "Type and Number of Most Serious Incident Reports" and "Frequency of Most Serious Incident Reports Within the Last Year" since this behavior occurred during a previous period of confinement. Only incident reports received during the current supervised release and parole violator term shall be counted in these categories.

5. **FREQUENCY OF DISCIPLINARY REPORTS.** Enter the appropriate number of points in the right-hand column that reflect the frequency of disciplinary reports.

This is determined by assigning points based on the number of disciplinary reports for which the inmate has been found guilty by either the Unit Discipline Committee or the Discipline Hearing Officer during the past 12 months.

**Table 9-12**

FREQUENCY OF DISCIPLINARY REPORTS	
POINTS	FREQUENCY WITHIN THE PAST 12 MONTHS
0	Six plus reports
1	Two through five reports
2	One report
3	None

6. **RESPONSIBILITY DEMONSTRATED.** Enter the appropriate number of points reflecting the inmate's demonstrated level of responsibility during the past 12 months. This is based on the inmate's general demeanor as reflected in peer group associates, degree of program involvement, level of dependability, and nature of interaction with staff and other inmates. Also considered for this item is the degree of financial responsibility the inmate has demonstrated in attempting to satisfy legitimate financial obligations. Do not use only the inmate's conduct record, though this should be considered when evaluating the inmate's overall level of responsibility.

**Table 9-13**

RESPONSIBILITY DEMONSTRATED	
POINTS	RESPONSIBILITY LAST 12 MONTHS
0	Poor
2	Average
4	Good

**Example:** An inmate has received no incident reports, but has demonstrated constant cell sanitation problems, has not become involved in any institution programs, and has not demonstrated a positive attitude. She should receive a score of "0" (poor).

**Note:** Inmates who refuse to participate in the Inmate Financial Responsibility Program or recommended Drug Education or Treatment Programs shall receive a score of "0" (poor). Refusal to participate in the Institution Release Preparation Program alone does not result in the inmate receiving a score of "0" (poor).

7. **FAMILY/COMMUNITY TIES.** Enter the number of points in the right-hand column that reflects the level of family and community ties. This is based on established and continuing family and community relationships that impact on the inmate's institutional adjustment. Consider marital status or common-law relationship, family support, regularity of visits, correspondence, family stability in the community, and the stability of relationships that the inmate has with non-family members in the community.

**Table 9-14**

FAMILY/COMMUNITY TIES	
POINTS	TYPE OF TIES
3	None or Minimal
4	Average or Good

8. **CUSTODY TOTAL.** Add the points in items 1 through 7, Section B, and enter the sum in this block.

9. **CUSTODY VARIANCE.** The Custody Variance is a mathematical adjustment to an inmate's total security points. The matrix below has a plus end (which adds points to the base score, thus raising the security level and increasing the custody) and a minus end (which subtracts points from the base score, thus lowering the security level and decreasing the custody).

As an inmate's adjustment improves within the institution, the higher her custody total and the longer an inmate is in the institution, the lower her base score becomes (her history is further in the past), therefore, lowering the inmate's security level and decreasing her custody.

If an inmate adjusts poorly to institution life, as well as poor adjustment to street life, then her base score will be high and

her custody total will be low, which will add points to her base score thus increasing her security level and her custody.

**\*\*NOTE: THE BASE SCORE TOTALS (0-6 POINTS, 7-9 POINTS, 10-13 POINTS, 14-22 POINTS, 23-36 POINTS) ON THE CUSTODY VARIANCE TABLE AS LISTED BELOW ARE NOT INTENDED TO COINCIDE WITH THE CLASSIFICATION SCORE AS OUTLINED IN THE SECURITY DESIGNATION TABLE. THE CUSTODY VARIANCE TABLE IS A MATHEMATICAL SET OF RULES FOR GUIDANCE IN THE APPLICATION OF THE APPROPRIATE CUSTODY ASSIGNMENT.**

**Table 9-15**

CUSTODY TOTAL (Section C, Item 8)																						
CUSTODY VARIANCE		10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
B A S E  S C O R E	0 - 6 points	+10	+9	+8	+7	+6	+5	+4	+3	+2	+1	0	0	0	-1	-2	-3	-4	-5	-6	-7	-8
	7 - 9 points	+10	+9	+8	+7	+6	+5	+4	+3	+2	+1	0	0	0	0	-1	-2	-3	-4	-5	-6	-7
	10-13 points	+10	+9	+8	+7	+6	+5	+4	+3	+2	+1	0	0	0	0	0	-1	-2	-3	-4	-5	-6
	14-22 points	+10	+9	+8	+7	+6	+5	+4	+3	+2	+1	0	0	0	0	0	0	0	-1	-2	-3	-4
	23-36 points	+10	+9	+8	+7	+6	+5	+4	+3	+2	+1	0	0	0	0	0	0	0	0	-1	-2	-3

**Example:** An inmate has a Base Score of 14 points and a Custody Total of 17 points. By using the Custody Variance Matrix, the intersecting point for these two items is +3. Thus, +3 is the Custody Variance score that shall be entered on Item 9, Section C.

**10. SECURITY TOTAL.** Apply the Custody Variance Score to the Base Score, and enter the result on Item 10, Section C.

**Example:** An inmate has a Base Score of 14 and a Custody Variance Score of +3. By applying +3 to 14, a Security Total of 17 is obtained and entered on Item 10, Section C.

**Note:** If the Custody Variance score is 0, the figure entered must be exactly the same as the Base Score. If the application of the Custody Variance to the Base Score results in a negative number, use 0.

\* **11. SCORED SECURITY LEVEL.** An inmate's Security Level is \*  
determined by the Security Total and any applicable Public Safety  
Factors (see Chapter 7).

12. **MANAGEMENT SECURITY LEVEL (MSL).** A Security Level which is entered by the Regional or Central Office upon application of any of the three MSL management variables (PSF Waived, Greater Security, Lesser Security). The MSL overrides the inmate's scored security level. If there was a previously entered MSL, it will automatically appear in this position.

13. **CUSTODY CHANGE CONSIDERATION.** To determine eligibility for a custody change, the following procedures apply:

- If the Custody Variance Score (Section C, Item 9) is in the plus (+) range, consider a custody increase.
- If the Custody Variance Score (Section B, Item 9) is 0, the inmate's present custody is continued.
- If the Custody Variance Score (Section B, Item 9) is in the minus (-) range, consider a custody decrease.

#### **SECTION D - INSTITUTION ACTION**

1. **TYPE OF REVIEW.** R = Regular or E = Exception

For regular cases, the unit team has authority to make custody assignments, and the Unit Manager is the signature authority on the BP-338. For exception cases, the Warden or designee is the approving official and retains signature authority for the BP-338 whenever there is a change in custody. An inmate should be handled as an exception case if there is documentation of the following:

- **Public Safety Factors:** Any inmate with a PSF. If the PSF has been waived the case is still considered an exception.
- **Central Inmate Monitoring Assignment:** An inmate with a CIM assignment, excluding state prisoners and separation cases.
- **Other:** The Warden may specify in writing other offenses or cases that require exception review.

2. **CURRENT CUSTODY.** Check the proper code for the inmate's current custody:

MAX = MAXIMUM, IN = IN, OUT = OUT, COM = COMMUNITY

3. **NEW CUSTODY.** Check the proper code for the new custody:

MAX = MAXIMUM, IN = IN, OUT = OUT, COM = COMMUNITY

As indicated below, the Custody Classification Form only recommends; the final decision rests with the review authority. With the exceptions noted previously in Item 1, Type of Review, the unit team has the following options:

**Table 9-16**

BP-338 FORM RECOMMENDS	CLASSIFICATION TEAM OPTIONS
Custody Increase (+) range	Increase custody one level or Continue same custody assignment and document why
Custody Decrease (-) range	Decrease custody one level or Continue same custody assignment and document why
Continue Present Custody	Continue same custody assignment or Refer to the Warden (see below)

The custody level should normally be reduced or increased by only one level (i.e., a reduction of IN would be to OUT, not to COMMUNITY; an increase from COMMUNITY would be to OUT, not to IN). However, an exception regarding increases can be made for disciplinary cases involving prohibited acts of the Greatest Severity or escape, provided it is justified by the unit team in a memo to the Inmate Central File with a copy to the inmate.

Additionally, transfer to a CCC may require the custody level to be decreased more than one level. If the inmate is receiving a custody reduction solely for the purpose of transferring to a CCC, a new Custody Classification Form (BP-338) does not need to be completed.

Approval for a decrease to COMMUNITY custody is granted by virtue of the Warden's approval and signature on the Institution Referral for CCC Placement (BP-210). While it is mandatory that community custody be effected at the time of transfer, it may not be appropriate to reduce the inmate's custody level prior to the date of transfer (e.g., it would not be appropriate for an IN custody inmate at a Low level facility to have COMMUNITY custody while still housed at the institution).

In such cases, upon receipt of a CCC acceptance date, a SENTRY future assignment would be established for the date of transfer. The effective time for the reduction would be 12:01 AM. An inmate must be assigned COMMUNITY custody status **prior** to

transfer to a CCC. Unit staff will state the current custody status of the inmate if other than COMMUNITY on the Transfer Order in the Custody Classification section. Next to the current custody, unit staff will type "COMMUNITY custody effective \_\_\_\_\_." (insert date the Warden deems appropriate).

If the Custody Variance (Section B, Item 9) is zero (Continue Present Custody), and the unit team believes that there is a compelling reason to change the inmate's custody, the unit team shall refer the case to the Warden, who is the deciding official.

4. **ACTION.** For exception cases only, the Warden or designee should check the appropriate box indicating either approval or disapproval of the unit team's decision. For regular cases, the unit team will take this action.

5. **DATE OF NEXT REVIEW.** Enter the month and year of the next scheduled review.

6. **CHAIRPERSON.** The Unit Manager shall print his or her name and sign the form in the space provided.

7. **WARDEN OR DESIGNEE.** This item is reserved for the Warden or designee's printed name and signature if the inmate is an exception case as defined in Item 1 of this section. If the Warden or designee disapproves, the reason shall be documented on the Custody Classification Form (BP-338) and a copy provided to the inmate.

8. **SUMMARY OF FINAL ACTION.** After all action is complete (exception cases signed off, etc.,) the final outcome shall be entered. Upon completion, the form is to be filed in the Inmate Central File, Section 2, and the appropriate custody assignment updated in SENTRY.



CUSTODY CLASSIFICATION FORM - FEMALE (BP-338)						
A. IDENTIFYING DATA		1. INSTITUTION CODE	2. UNIT	3. DATE		
4. NAME		5. REGISTER NUMBER				
6. CRIMINAL HISTORY POINTS _____						
7. MANAGEMENT VARIABLES		A - NONE B - JUDICIAL RECOMMENDATION D - RELEASE RESIDENCE/PLANNING E - POPULATION MANAGEMENT G - CIMS			I - MED/PSYCH TREATMENT N - PROGRAM PARTICIPATION R - WORK CADRE S - PSF WAIVED U - MARIEL CUBAN	V - GREATER SECURITY W - LESSER SECURITY
8. PUBLIC SAFETY FACTORS		A - NONE F - SEX OFFENDER G - THREAT GOVT OFFICIAL			H - DEPORTABLE ALIEN K - VIOLENT BEHAVIOR L - SERIOUS ESCAPE	M - PRISON DISTURBANCE
B. BASE SCORING //////////////////////////////////////						
1. TYPE OF DETAINER 0 = NONE 1 = LOWEST/LOW MODERATE 3 = MODERATE 5 = HIGH 7 = GREATEST						
2. SEVERITY OF CURRENT OFFENSE 0 - LOWEST 1 - LOW MODERATE 3 - MODERATE 5 - HIGH 7 - GREATEST						
3. MONTHS TO RELEASE _____		4. PROJECTED LENGTH OF INCARCERATION 0 - 0-12 MONTHS 1 - 13-59 MONTHS 3 - 60 - 83 MONTHS 5 - 84 PLUS MONTHS				
5. TYPE OF PRIOR COMMITMENT 0 - NONE 1 - MINOR 3 - SERIOUS						
6. HISTORY OF ESCAPE OR ATTEMPTS NONE 0 >15 YEARS 1 10-15 YEARS 1 5-10 YEARS 2 <5 YEARS 3 MINOR 0 1 2 3 SERIOUS 0 4 5 6 7						
7. HISTORY OF VIOLENCE NONE 0 >15 YEARS 1 10-15 YEARS 1 5-10 YEARS 2 <5 YEARS 3 MINOR 0 1 2 3 SERIOUS 0 4 5 6 7						
8. PRECOMMITMENT STATUS 0 = NOT APPLICABLE -3 = OWN RECOGNIZANCE -6 = VOLUNTARY SURRENDER						
9. BASE SCORE						
C. CUSTODY SCORING //////////////////////////////////////						
1. PERCENTAGE OF TIME SERVED 3 = 0-25% 4 = 26-75% 5 = 76-90% 6 = 91+%						
2. DRUG/ALCOHOL ABUSE 2= WITHIN PAST 5 YEARS 3= MORE THAN 5 YEARS AGO 4 = NEVER						
3. MENTAL/PSYCHOLOGICAL STABILITY 2 = UNFAVORABLE 4 = NO REFERRAL OR FAVORABLE						
4. TYPE & NO OF MOST SERIOUS INCIDENT RPT 0=ANY GREAT (100) IN PAST 10 YR 1=MORE THAN 1 HIGH (200) IN PAST 2 YR 2A=ONLY 1 HIGH (200) IN PAST 2 YR 2B=MORE THAN 1 MOD (300) IN LAST YR 3A=ONLY 1 MOD (300) IN PAST YR 3B=MORE THAN 1 LOW MOD (400) IN PAST YR 4=ONLY 1 LOW MOD (400) IN LAST YR 5= NONE						
5. FREQUENCY OF DISCIPLINARY REPORTS (IN PAST YEAR) 0 = 6+ 1 = 2 THRU 5 2 = ONE 3 = NONE						
6. RESPONSIBILITY DEMONSTRATED 0 = POOR 2 = AVERAGE 4 = GOOD						
7. FAMILY/COMMUNITY TIES 3 = NONE OR MINIMAL 4 = AVERAGE OR GOOD						
8. CUSTODY TOTAL						
9. CUSTODY VARIANCE CUSTODY TOTAL (SECTION C, ITEM 8)						
10. SECURITY TOTAL-ADD OR SUBTRACT CUSTODY VARIANCE (ABOVE) TO BASE SCORE (SECTION B, 8)						
11. SCORED SECURITY LEVEL _____						
12. MANAGEMENT SECURITY LEVEL _____						

CUSTODY CLASSIFICATION FORM (BP-338)	
CUSTODY CLASSIFICATION - PAGE 2	
13. CUSTODY CHANGE CONSIDERATION A. IF CUSTODY VARIANCE SCORE (SECTION C, ITEM 9) IS IN THE (+) RANGE, CONSIDER A CUSTODY INCREASE B. IF CUSTODY VARIANCE SCORE (SECTION C, ITEM 9) IS IN THE (-) RANGE, CONSIDER A CUSTODY DECREASE C. IF CUSTODY VARIANCE SCORE (SECTION C, ITEM 9) IS ZERO, THE PRESENT CUSTODY SHOULD CONTINUE	
SECTION D: INSTITUTION ACTION	
1. TYPE OF REVIEW : (EXCEPTION OR REGULAR)	
2. CURRENT CUSTODY: (MAXIMUM, IN, OUT, COMMUNITY)	
3. NEW CUSTODY: (MAXIMUM, IN, OUT, COMMUNITY)	
4. ACTION: (APPROVE, DISAPPROVE)	
5. DATE OF NEXT REVIEW	
6. CHAIRPERSON'S NAME AND SIGNATURE	
7. FOR EXCEPTION REVIEW NAME (WARDEN OR DESIGNEE) AND SIGNATURE	
8. SUMMARY OF FINAL ACTION:	
SECURITY LEVEL	
CUSTODY	

<b>INMATE TRANSFER</b>
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1. **CENTRAL INMATE MONITORING CASES.** Most inmate transfers are coordinated through the Regional Office in accordance with the provisions outlined in this Manual. (Refer to Section 2.b. below for WITSEC transfers.) Ordinarily, unit staff request a transfer by making the appropriate referral with up-to-date, accurate information regarding CIM assignments included in the referral. The Regional Designator will enter approved transfers in SENTRY on the "Enter Redesignation" screen. He or she will also enter the destination (DST) assignment. A Request for CIM Activity clearance **should not** be subsequently routed to the Warden for approval as **CIM activity clearance is included in the redesignation** for all CIM assignments except WITSEC. For medical referrals, institution staff will send the referral to the Medical Designator via GroupWise. The Medical Designator will enter approved transfers to a Bureau medical facility into SENTRY on the "Enter Redesignation" screen.

2. **TYPES OF TRANSFERS.** Copies of all transfer requests for Disruptive Group Members will be forwarded to the Intelligence Section, Central Office, via GroupWise upon approval of the transfer. Additionally, the institution Special Investigative Supervisor should also receive a copy of the transfer request.

a. **WITSEC Transfers.** All movement of Witness Security cases is coordinated exclusively through the Inmate Monitoring Section of the Correctional Programs Branch, Central Office. Witness Security cases will not be transferred without authorization from that office. Witness Security inmates who require medical or mental health treatment at a medical center must also be approved by the Medical Designator.

If the inmate is classified as a WITSEC case, a copy of the medical referral will be sent simultaneously to the Inmate Monitoring Section (IMS) **and** the Medical Designator. The Inmate Monitoring Section will coordinate with the OMDT regarding an appropriate placement. Placement will be based on available medical resources, security needs, bed space availability, and the inmate's need for medical care. IMS will enter activity clearances for WITSEC cases.

b. **Disciplinary Transfers/Close Supervision Transfers.** A disciplinary transfer to the same security level institution is normally discouraged. Wardens may recommend same security level transfers when local efforts to manage the inmate have failed or

other overriding circumstances exist. Ordinarily, an inmate classified as an "unverified protection" case will not be considered for close supervision transfer for a period of 18-24 months. Earlier recommendations may be justified due to population pressures.

Transfer requests for disciplinary purposes or close supervision cases require complete transfer packets to the Regional Correctional Services Administrator. Packets shall contain the following:

- (1) Warden's referral memorandum;
- (2) Presentence Investigation Report;
- (3) Current Progress Report;
- (4) Disciplinary Report(s) and DHO packet;
- (5) Close Supervision investigation report;
- (6) Intelligence data; and,
- (7) Supporting memoranda.

Inmates transferred for disciplinary purposes, under code 309, shall remain at the new institution (which should be a higher security level) for a period of 36 months with clear conduct prior to redesignation consideration for nearer release.

c. **Medical and Psychiatric Transfers.** Medical designations and transfers are approved by the Central Office Medical Designator in the Office of Medical Designations and Transportation (OMDT), Central Office. The Central Office Medical Designator assigns inmates to medical referral centers, institutions with medical resources, or non-Bureau community care centers to provide the required services. Transfers will be classified as either "Emergency, Routine/Urgent, or Routine."

If an inmate objects, either in writing or through his or her attorney, to a transfer for psychiatric/mental health treatment, the provisions of 18 U.S.C. § 4245 may apply. Staff shall suspend transfer action in these cases and refer the matter to the Regional Counsel for review. The Regional Counsel will notify the institution when the transfer action can be re-instituted.

(1) **Emergency Transfer** - An emergency transfer is a medical or psychiatric transfer so declared by medical staff. This includes inmates medically not capable of transport via routine BOP surface or air conveyance. An inmate's condition may require medical staff to declare a medical or psychiatric emergency. Emergency referrals may require special transportation, including air ambulance, air charter, or emergency ground transportation.

**Procedures** - An emergency transfer request will be made on a Warden-to-Warden basis, via Medical/Surgical and Psychiatric Referral Request (EMS 204) with a copy to the OMDT. The Health Services Administrator (HSA) at the originating institution shall complete the Medical/Surgical and Psychiatric Referral Request (EMS 204) to ensure all essential medical or psychiatric information is communicated to the referral center. Emergency cases shall be referred to the most appropriate center or other facility, considering medical resources available, proximity, security needs, and bed space availability. The referring facility and the accepting institution will notify the OMDT of referrals and acceptances via GroupWise at the time of referral and acceptance. Any emergency referral denied shall be immediately forwarded to the referring facility, with a copy to the OMDT.

(2) **Routine/Urgent** - A routine/urgent medical or psychiatric transfer is any transfer whereby an inmate's condition may require direct travel to a medical center within 14 calendar days.

**Procedures** - Routine/Urgent referrals will be made via Medical/Surgical and Psychiatric Referral Request (EMS 204) and will be approved by the Warden. The HSA will coordinate and route the completed Medical/Surgical and Psychiatric Referral Request (EMS 204) to the OMDT. The OMDT will ensure CIM clearance and enter approved transfers to an appropriate BOP facility in SENTRY on the "CIM Clearance and Separatee Data" screen.

(3) **Routine Transfer** - A routine medical or psychiatric transfer is any transfer not designated as an emergency and time en route is not critical.

**Procedures** - Routine referrals will be made via Medical/Surgical and Psychiatric Referral Request (EMS 204) and will be approved by the Warden. The HSA will coordinate and route the completed Medical/Surgical and Psychiatric Referral Request (EMS 204) to the OMDT. The OMDT will ensure CIM clearance and enter approved transfers to an appropriate BOP facility in SENTRY on the "Enter Redesignation" screen.

(4) **Completion of Treatment** - Upon completion of medical/psychiatric treatment, the facility currently housing the inmate will request transfer via Medical/Surgical and Psychiatric

Treatment Completed Referral Request (EMS 413) to the OMDT, providing detailed information regarding any follow-up medical care of special consideration. Medical transfers are returned to their parent facility unless other provisions have been made by the Regional Designator in the parent region.

d. **Routine Transfers.** Routine transfers are submitted to the Regional Designator via Request for Transfer/Application of Management Variable (EMS 409). Redesignation of an inmate should generally result in a move closer to an inmate's release destination, consistent with the inmate's security level. **In order to attempt to place an inmate near his or her release residence, redesignations should be made without regard to regional boundaries. ORDINARILY, THE INMATE MAY BE CONSIDERED FOR A NEARER RELEASE TRANSFER AFTER SERVING 18 MONTHS WITHIN THE FACILITY WITH CLEAR CONDUCT.**

Redesignations between same security level institutions are discouraged, except for CIM purposes, closer to home purposes, or other unusual circumstances. A "nearer to release" transfer should be incorporated with "lesser security" transfers whenever possible. Once the inmate has been transferred within 500 miles of his or her release residence, no further referrals should be made as a "nearer to release" transfer consideration.

Ordinarily, inmates with an Order for Deportation, an Order of Removal, or an INS Detainer will not be transferred for nearer release purposes. This includes inmates with detainers for INS hearings as well. This limitation is intended to ensure that nearer release transfers are ordinarily granted only to those inmates who will be returning to the community within, rather than outside, the United States upon release. The following items on Request for Transfer/Application of Management Variable (EMS 409) shall be completed as described below:

- (1) Include current, complete, and accurate available information concerning any medical problem that might affect designation;
- (2) Include a brief description of the inmate's adjustment during this period of incarceration with emphasis on recent adjustment;
- (3) Include all actions reflected on the current Custody Classification Form (BP-338). Significant histories should be summarized;

(4) Include a complete, specific justification and support for the requested action; and,

(5) Indicate whether or not the inmate is eligible for a parole hearing. If yes, indicate the date of the hearing. (See Appendix F for parole/non-parole institutions.)

(6) Note any past or present behavior and/or management concerns which may affect placement (i.e., inmate has a history of arrests or disruptive behavior which may not have resulted in a conviction, inmates preference regarding this request, etc.).

Complete all required information, then route the request through normal institutional review channels for approval by the CEO. After approval by the CEO, it may be routed to the Regional Designator from the unit's mailbox. The unit team shall enter the appropriate "DST" assignment (see below) into SENTRY as confirmation that a redesignation request has been submitted to the Regional or Central Office. Enter this SENTRY assignment under the "DST" category using the Update Inmate Assignment transaction.

- Enter "W REDES D" if the transfer request is for a routine transfer.
- Enter "W REDES C" if the transfer request requires Correctional Services to make a decision (e.g., a Close Supervision Transfer).
- Enter "W REDES M" if the transfer request requires a review by the OMDT (Medical Designator).

Once the E-Mail requesting redesignation is received, regional office staff will review the following SENTRY transactions to assist the Designator in determining if the inmate is appropriate for redesignation:

- "CIM Clearance and Separatee Data"
- Inmate Load Data
- Inmate Profile
- Custody Classification Form
- Security/Designation Data Form
- Chronological Disciplinary Record

Once a decision is made, the Designator will update the DST assignment and enter the data on the "Update Inmate Remarks" screen. Should a change in DST be required, the Designator who keyed the original DST should make the change in SENTRY prior to the inmate's arrival at the designated institution.

If approved for transfer, the Designator will enter the required information and note the approved institution transfer code on the "Enter Redesignation" screen. The method of transportation is at the discretion of the Warden.

e. **Institution Classification**

(1) **Security Changes**

(a) A decreased security level may be indicated by a decrease in the security total of the Custody Classification Form. This change may result in transfer of the inmate to a lower security level institution.

(b) An increased security level may be indicated in a similar fashion. The security total may increase to a higher security level range.

If an updated security scoring, combined with Public Safety Factors, indicate that an inmate is rated at a different security level, the inmate must be referred to the Regional Designator for either transfer or application of a Management Variable. For example, if an inmate in a Low security level institution is reclassified to Minimum security, the case must be referred for transfer or application of a Management Variable. If transfer is denied, the regional office shall apply an appropriate Management Variable and add a Management Security Level, if applicable.

(2) **Custody Changes.** During an inmate's custody review, a custody level may be increased or decreased (ordinarily, only one level at a time) indicating a transfer is appropriate. For example:

(a) A Medium security level inmate has OUT custody, and becomes eligible for COMMUNITY custody. If the Unit Team decides to reduce custody, the inmate would normally be referred for redesignation to a Low or Minimum security level facility, since Medium security level institutions do not house COMMUNITY custody inmates. **If approved for transfer by the Regional Office, the Management Variable of Lesser Security shall be applied** and the Management Security Level shall be changed accordingly.

(b) An inmate's transfer to a higher security institution could be triggered by an increase in custody needs. For example, a Medium security level inmate with IN custody becomes eligible for a custody increase. The team agrees to increase the custody to Maximum. Since



Medium security level facilities are not authorized to house Maximum custody inmates, the inmate must be referred for transfer to a High security level institution and the MSL changed in accordance with the application of an MGTV.

**f. Transfers for Training Purposes or Program Participation.**

An inmate is ordinarily transferred for specialized training programs only if the security level of the institution offering the training program is commensurate with the security and custody level of the inmate. When placement for program participation is inconsistent with the assigned security level, the appropriate Management Variable must be applied. Ordinarily, the inmate will be returned to the referring institution upon completion of the specialized training or program.

Prior to referral to the Regional Designator for transfer, the referring institution's Unit Manager is to contact the proposed receiving institution's Program Director to determine eligibility requirements for admission to the specialized training and to **ascertain the availability of bed space**. If the inmate is eligible and the program space is available, the sending institution must include such information in the referral to the Regional Designator, including the name and title of the staff member at the proposed receiving institution from whom the information was obtained.

When making a recommendation for Residential Drug Abuse Treatment at another facility, the Drug Abuse Treatment Coordinator will make the referral through the inmate's Unit Team after verifying that the inmate meets the criteria for admission to a residential treatment unit and has signed an Agreement to Participate form (BP-550) in residential treatment.

When the inmate's projected release date is within 36 months, the Unit Team, at the Drug Abuse Treatment staff's request, is to initiate a request for re-designation to the Regional Designator. The Regional Designator must first attempt to re-designate within his or her region according to security level and within 500 miles of the expected release residence.

If a bed is not available in that region at the appropriate security level, and/or application of a Management Variable is not appropriate, the Regional Designator should, when possible, coordinate with his or her Regional Drug Abuse Coordinator to place the inmate outside of that region (refer to the Inmate Drug Abuse Program Manual for more specific details). Ordinarily, the inmate will be returned to the parent institution upon completion, withdrawal, expulsion from, or failure to enter the

program. However, special circumstances may warrant re-designation to another institution; for example, a short release date.

g. **Pre-Release Transfers.** Inmates in federal and contract institutions may be transferred to CCCs in accordance with the Program Statement on CCC Utilization and Transfer Procedure. Inmates who have been approved for CCC referral and are otherwise appropriate for camp placement are to be transferred to a camp for intermediate placement. The inmate should have completed the Institution Release Preparation Program at the parent institution.

The parent institution is to complete the CCC referral packet and the camp should be closer to the inmate's release residence. This process should be completed to allow the inmate a minimum of a 60-day placement at the camp prior to the reporting date at the CCC. CCC referrals may be made 12 to 18 months in advance of an anticipated reporting date with the concurrence of local CCM offices. A notation that the CCC referral was made with a specific projected placement date should be included in the request for institution transfer, and the transfer request should be prepared at the same time as the CCC referral.

\* h. **CCC Failures.** When an inmate fails to meet the conditions of CCC placement, the CCM should consider the following criteria for re-designation: local manday detention rates, availability of BOP Detention Centers, budgetary constraints, projected release date, and distance to parent facility. When returning the inmate to the parent facility is not the most cost effective approach, the CCM, in consultation with the Designator, should consider the closest facility commensurate with the inmate's security needs.

CCMs must initiate routine transfer procedures when a Direct Court Commitment requires placement at a federal facility. \*

i. **FCI Oakdale.** The primary mission of FCI Oakdale reflects a joint effort of the Bureau, INS, and the Executive Office for Immigration Review (EOIR) to meet the requirements of the Immigration Reform and Control Act of 1986, by ensuring the expeditious review of criminal aliens for deportation. Beds are available for federally sentenced aliens, who are subject to administrative proceedings under the Immigration and Naturalization Act. Such inmates are transferred to FCI Oakdale for disposition of their INS detainer prior to completion of their federal sentence.

Mexican and Cuban nationals are not eligible for the Oakdale Criminal Alien Project. The following procedures apply for the

actual selection and designation of inmates to the Oakdale Criminal Alien Project:

(1) The INS Officer in Charge at FCI Oakdale will monitor the inmate male population via SENTRY to identify criminal aliens appropriate for the program at FCI Oakdale. After they have been identified, INS staff will place a detainer on these individuals through FCI Oakdale. Each week the Associate Warden Programs (AWP) at FCI Oakdale, or his or her designee, will compile a list of the criminal aliens who are to be released within the next year. A courtesy list will be submitted, via GroupWise, to the South Central Regional Designator for monitoring purposes.

(2) INS staff at FCI Oakdale may forward to Bureau staff information on alien inmates via GroupWise. These are courtesy copies to be used in assisting the movement of inmates to FCI Oakdale at a later date. The movement of inmates to FCI Oakdale is coordinated exclusively by the FCI Oakdale Inmate Systems Manager. Inmates are not to be moved to the Oakdale Criminal Alien Unit without the expressed approval of the FCI Oakdale ISM. The FCI Oakdale ISM has authority to redesignate from other Bureau facilities to FCI Oakdale. The ISM shall ensure CIM clearance is obtained and the Custody Classification form reflects appropriate use of any Management Variable.

(3) Inmates will be redesignated by the time they are seven months from a firm projected release date. Once approved for transfer, institution and transportation staff will immediately schedule the inmate for movement to FCI Oakdale. Institution staff will notify Oakdale ISM staff if the inmate is not en route within 15 working days of the transfer approval. The central file should contain a current Progress Report and all pertinent case management activities should be completed prior to transfer including fines and the ordering of parole certificates, when applicable, or preparation of other release documents as required.

(4) The ISM staff should ensure any other detainees lodged against those inmates approved for transfer are resolved and the detaining authority notified before an inmate is transferred to FCI Oakdale.

(5) Because of unforeseen circumstances, some criminal aliens may be inappropriate for transfer to FCI Oakdale. INS staff at FCI Oakdale will notify the concerned institution when this occurs and will advise of any additional action necessary to coordinate the resolution of the inmate's citizenship/release status. Conversely, institution staff are to contact FCI Oakdale's ISM staff if they believe a transfer should not occur.

If the transfer is deemed inappropriate, only the Inmate Systems Manager, FCI Oakdale is authorized to delete the Oakdale "DST" transfer approval.

(6) INS staff maintain an office in downtown Oakdale (318) 335-0713.

(7) The Detention Services Branch, Community Corrections and Detention Division, Central Office will assist with coordination of the Oakdale Criminal Alien Program and will act as the primary liaison with INS and EOIR Headquarters on matters of mutual interest affecting the program's development and/or modification. Any questions regarding these matters should be directed to that office.

j. **Adjustment Transfers.** All transfer packets submitted as Code 330 transfers for adjustment purposes require review by the Regional Correctional Services Administrator prior to any action being taken by the Regional Correctional Programs Designator. The Regional Correctional Services Administrator shall ensure that the transfer does not meet the requirements of an unverified protection transfer, Code 323. If it does meet the requirements of an unverified protection transfer, the packet will remain with the Regional Correctional Services Administrator for appropriate action. If not, the Regional Correctional Services Administrator shall initial the packet and return it to the Regional Correctional Programs Designator for action. The appropriate Regional Deputy Director(s) shall resolve any disagreements.

k. **Temporary Transfers.** It is sometimes necessary to temporarily transfer an inmate to a contract facility or other Bureau institution. This is generally for security reasons, when the current assigned institution has no special housing unit. In such cases, institution staff shall forward a request for temporary transfer approval from the Warden to the Regional Designator. The request shall include the rationale for transfer, with assurance that the receiving facility is in agreement with the temporary transfer. The request shall be obtained prior to the transfer during normal working hours, or if after hours, the next work day. A copy of this request will be routed to the appropriate CCM office, if the transfer is to a contract facility.

l. **Institution Hearing Program Transfers.** The Institution Hearing Program (IHP) is a coordinated effort by the Bureau, INS, and the EOIR to provide deportation or exclusion proceedings to sentenced aliens as expeditiously as possible after the date of conviction. Eligibility, designation, classification, and transfer procedures are specifically outlined in Bureau

directives. IHP sites have been established for male and female non-U.S. citizens who are serving federal sentences to ensure a deportation or exclusion hearing is conducted early in their sentence instead of at the end of their sentence.

### 3. **EXCEPTIONS**

#### a. **ADX Florence and USP Marion Populations and Missions**

(1) **ADX Florence.** ADX Florence general population units are used for those inmates who have demonstrated an inability to function in a less restrictive environment without being a threat to others, or to the secure and orderly operation of the institution.

(2) **USP Marion.** USP Marion is reserved for inmates who have demonstrated an inability to adjust satisfactorily to general population units in other **secure** facilities. USP Marion's revised mission includes greater programming opportunities and less controls than its former mission.

(3) **Referral Procedures and Criteria.** Prior to referring an inmate to USP Marion or ADX Florence, redesignation to another high security institution should be considered first. If transfer to another institution is not appropriate, Wardens shall refer the proposed USP Marion or ADX Florence case to their respective Regional Director. If the Regional Director concurs, he or she shall forward the recommendation to the North Central Regional Director.

Assignment to USP Marion or ADX Florence will ordinarily be made without regard for such factors as release destination and program needs, such as education and vocational training. Prior to transfer to USP Marion or ADX Florence, staff at the sending institution shall ensure that the inmate is assigned Maximum custody. While in transit to USP Marion or ADX Florence, inmates will be housed and provided visiting, correspondence, and telephone privileges as if confined at USP Marion or ADX Florence.

Inmates currently diagnosed as suffering from serious psychiatric illnesses **should not** be referred for placement at either ADX Florence or USP Marion.

(4) **Referral Packet for USP Marion or ADX Florence.** The referral packet for either USP Marion or ADX Florence general population shall include the following items:

(a) A memorandum from the Warden to the appropriate Regional Director with the specific rationale supporting the institution's recommendation;

(b) Copies of all disciplinary reports, investigative materials or other official documentation related to the behavior prompting the referral;

(c) A current Progress Report;

(d) A copy of the inmate's latest Presentence Investigation Report;

(e) A recent psychiatric or mental health evaluation;  
and,

(f) A memorandum from the Regional Director recommending the referral.

Inmates with severe or chronic behavior patterns that cannot be addressed in any other Bureau institution should be referred to ADX Florence general population, and those who are somewhat less problematic should be referred to USP Marion. In describing the reasons underlying the referral, the Warden should explain why he or she has selected USP Marion or ADX Florence, respectively.

(5) **Acceptance or Rejection of Referrals.** The North Central Regional Director has final review authority for referrals to USP Marion and ADX Florence general population units. In some cases, the Regional Director may decide to place an inmate in USP Marion when a referral has been submitted for ADX Florence. The reverse circumstance may also occur, and an inmate referred for USP Marion may be placed at ADX Florence based on the circumstances of the case. Additionally, the North Central Regional Director may determine that an inmate recommended for placement in the Control Unit is more appropriate to be placed in the general population units of USP Marion or ADX Florence.

A response to a recommendation for USP Marion or ADX Florence placement will ordinarily be made by the North Central Regional Director within 60 calendar days after receiving the referral packet. Approval or denial shall be noted in SENTRY on the inmate's "CIM Clearance and Separatee Data" screen, with a brief memorandum from the North Central Regional Director to the requesting Regional Director and Warden to follow.

(6) **Transfer from ADX Florence or USP Marion.** Once an inmate successfully completes the ADX Florence or USP Marion program, the Warden shall submit a transfer request to the North Central Regional Director. Inmates will ordinarily be transferred from USP Marion or ADX Florence using Code 308 - Lesser Security. Generally, inmates completing the ADX Florence program will ordinarily be transferred to a High Security facility, other than USP Marion.

(7) **USP Marion Failures.** Inmates who continue to exhibit disruptive misconduct at USP Marion may be considered for referral to ADX Florence general population or the Control Unit.

b. **Satellite Camps.** The Warden of an institution with a satellite camp may transfer an inmate from the main institution to the camp if the inmate is assigned a Minimum security level. The Camp Administrator of a satellite camp adjacent to a Low or Medium security level institution may temporarily transfer the inmate to the main institution for disciplinary purposes (i.e., disciplinary segregation). If a need for an immediate redesignation arises, the inmate may be placed as a holdover in Administrative Detention at the main institution while approval is sought from the Regional Office for redesignation to that institution or another institution. A Transfer Order shall be prepared documenting the reason for transfer.

**The Warden may authorize clearance for the transfer of a CIM Case, with the exception of WITSEC cases, to the satellite camp of the parent facility provided established regulations for regular transfer authority have been met. (Refer to the CIM Manual for more specific details).**

When an inmate in a satellite camp requires temporary medical aid that can be provided by a nearby institution, the following procedures apply:

(1) The inmate shall be transferred to the institution's hospital; however, the inmate may not be placed in the institution's general population for convalescence.

(2) As soon as acute medical need no longer exists, the inmate shall be returned to the camp.

c. **Mariel Cuban Detainees.** The authority for designating and redesignating unsentenced Mariel Cuban detainees rests with the Detention Services Branch, Community Corrections and Detention Services Division, Central Office. Mariel Cubans who are

sentenced, and therefore not detainees, are handled in a routine fashion by the Regional Offices.

d. **INS Non-Returnable Detainees.** The authority for designating non-returnable INS detainees rests with Central Office staff. Redesignations shall occur in accordance with routine transfer procedures. In scoring these cases for custody review, follow the below-listed criteria:

- Instant offense - use the most recent conviction for which the inmate was incarcerated, regardless of whether or not the sentence has expired
- Do **not** apply the Deportable Alien PSF
- Months to release - enter 121 months and apply the PSF for Sentence Length

e. **FMC Carswell Administrative Unit**

(1) **Initial Designations.** Initial designations will only occur in extraordinary situations and require the approval of the South Central Regional Director. The respective Regional Designator shall contact the South Central Regional Designator to confirm the proposed initial designation.

(2) **Redesignation Criteria.** The FMC Carswell Administrative Unit is designed to house females exhibiting any of the following:

- A history of escape or attempted escape from a secure institution;
- Demonstrated repeated incidents of assaultive or predatory behavior;
- Demonstrated chronic behavior problems; and/or
- Special management concerns.

(3) **Referral packets** for proposed transfer to the FMC Carswell Administrative Unit shall include the following items:

- A memorandum from the Warden to the South Central Regional Director with the specific rationale supporting the institution's recommendation;



- Copies of disciplinary reports, investigative materials, or other documentation supporting the institution's recommendation;
- A current Progress Report;
- A copy of the inmate's current Presentence Investigation Report; and,
- A recent psychiatric or psychological evaluation.

4. **POPULATION MANAGEMENT.** The Assistant Director, Correctional Programs Division periodically reviews each institution's Rated and Designation Capacities. The Correctional Programs Branch, Correctional Programs Division is responsible for monitoring population balance, placement of special populations, and development of emergency plans for placement of large numbers of inmates.

Occasionally, it is necessary to impose a moratorium or population cap on a particular institution to avoid or reduce overcrowding. **Only the Assistant Director, Health Services Division**, may authorize a moratorium or population cap for Medical Referral Centers (excluding general population). **The Assistant Director, Correctional Programs Division, with the approval of the Population Management Subcommittee of the Executive Staff**, may impose a moratorium on other facilities including the Medical Referral Center general population units.

a. The Warden of the institution recommends to the Regional Director that a moratorium or population cap be established.

b. The Regional Director reviews the request, and if in agreement, contacts the Assistant Director, Correctional Programs Division and either requests a population cap, or a partial or total moratorium.

A **population cap** places a ceiling on the number of inmates that can be designated to a facility. A **partial moratorium** restricts control of initial designations and redesignations to the Region responsible for an institution. A **total moratorium** is defined as a complete cessation of all initial designations and redesignations to an institution.

In extreme circumstances, the Assistant Director, Correctional Programs Division with concurrence of the Subcommittee may direct that inmates en route to a facility be redesignated. **When a moratorium or population cap is imposed, a termination date will**

**be established. The cap or moratorium will be terminated on that date unless the Regional Director contacts the Assistant Director, Correctional Programs Division, and obtains an extension.**

c. The appropriate Assistant Director will issue a GroupWise e-mail or Operations Memorandum notifying all Designators and Chief Executive Officers of the cap or moratorium.

## **5. TRANSFER PAPERWORK**

a. **In-Transit Data Form.** Upon notice that an inmate is being transferred or temporarily released to an authorized Law Enforcement Officer (e.g., U.S. Marshal, state law enforcement officer, or Bureau bus officer), the Unit Manager **will ensure** the following:

- (1) The top portion of the SENTRY automated In-Transit Data Form is accurate and the bottom portion is completed;
- (2) CIM, YCA, and any other important information is included in the space for "Non-Routine Security Needs."
- (3) CIM separation information is accurate, up-to-date and the SENTRY generated "CIM Clearance and Separatee Data" is attached to the In-Transit Data Form;
- (4) The In-Transit Data Form is signed, dated, and forwarded to ISM staff who will attach current inmate photograph and provide the form to the transporting officer; and,
- (5) A copy of the most recent In-Transit Data Form is maintained in the inmate's central file. The "CIM Clearance and Separatee Data" displays shall not be filed with the In-Transit Data Form.

Upon receipt of the In-Transit Data Form, ISM staff will ensure the following:

- (a) The information indicated on the top portion of the form is correct. SENTRY update functions should be executed in the event that the data is not accurate;
- (b) The Sentencing Remarks should include a narrative description of the offenses and the length of

sentence as noted on the Judgment. If this information is not accurate, the load data should be updated;

- (c) The Detainer Remarks should indicate all active detainers and the charge or offense. If the detainer has been litigated, the sentence imposed or time remaining to serve should be listed. If this information is not current, the commitment should be updated; and,
- (d) Initials are placed below the detainer remarks indicating that the information has been confirmed and is accurate and up-to-date.

**b. Transfer Orders**

(1) An original and one copy of each Transfer Order must be prepared and signed by the CEO or acting CEO. As a prisoner transfer begins via bus, the original Transfer Order, the Medical Record of Federal Prisoner in Transit Data Form (BP-149) with in-transit information, and the photograph attached will be placed in separate groups for the convenience of the transporting officer. The official who completes the transfer at final destination executes the "Return of Service" on the original Transfer Order, which is then filed with the commitment papers. A number of federal courts have held, in prosecutions for escape, that the government must prove the legality of commitment; therefore, competent evidence, such as the Transfer Order with the Return of Service, must be readily available.

(2) One copy of the Transfer Order is placed in the Inmate Central File upon departure. The Transfer Order should document the reason for transfer. This serves as a file copy for the receiving institution. If the inmate is moved by Unescorted Transfer, the file is retained at the sending institution until the receiving facility notifies the transferring facility of the inmate's arrival, at which time ISM staff send the file immediately via certified mail.

(3) Wardens, Superintendents, and CCMs are delegated the authority to issue Transfer Orders. When a prisoner is to be transferred from a non-federal facility to a federal facility, or non-federal facility to a non-federal facility, the CCM issues a Transfer Order.

6. **TRANSFER CODES.** The reason for transfer, as shown by one of the codes listed at the end of this chapter is to be visible on the original and each copy of the Transfer Order. When there is more than one reason for transfer, the most pertinent code is to be used. Note that all Unescorted Transfers are Discharge Code - FURL TRANS for Furlough Transfer.

7. **SPECIAL REQUIREMENTS.**

a. An inmate having a detainer or pending charge may be transferred to any institution for which he or she properly classifies; however, generally when there is a formally filed detainer, the inmate is not to be transferred to an institution more distant from the detaining authority unless there is substantial reason to believe the detainer will be dropped or the pending charge will not be prosecuted.

An inmate who indicates an intention to oppose extradition is not to be transferred within the last 30 calendar days prior to release to an institution in the state that placed the detainer. Such cases, and others in which there are legal or jurisdictional problems, are to be referred to the Regional Correctional Programs Administrator (See Program Statement entitled Detainers and the Interstate Agreement on Detainers).

b. When there is reason to transfer an inmate to a non-federal institution for concurrent service of federal and state sentences, the Warden shall refer the case to the Regional Director. Refer to the Program Statement, Transfer of a Prisoner to State Custody Prior to Release from the Federal Sentence, for procedures.

When an inmate is accepted by a non-federal institution for concurrent service of federal and state sentences, a Transfer Order will be prepared.

Transfer to a facility in an area other than the inmate's legal residence or sentencing district may be considered by the inmate's Unit Team provided the inmate can provide strong evidence of community and/or family support. Institution staff should use sound correctional judgment when reviewing such requests for transfer to ensure the transfer is consistent with guidelines established in this chapter. At the time of the Unit Team's recommendation for CCC placement, the Case Manager should submit release plans to the USPO if other than the sentencing district. A relocation acceptance letter should be included in the CCC referral packet.

8. **RELATIONSHIPS WITH OTHER AGENCIES.**

a. **U.S. Parole Commission.** Refer to Appendix F to ensure that "old law" inmates are housed at a parolable institution in accordance with his or her parole hearing requirements. Inmates no longer requiring a hearing do not require placement at a parolable institution.

b. **Administrative Office of the U.S. Courts.** The court of conviction may recommend to the Attorney General or the Bureau that the defendant be retained at, or transferred to, a place of confinement near the place of trial or the court of appeals, for a period reasonably necessary to permit the defendant to assist in the preparation of his or her appeal. Upon receiving this recommendation, the Bureau shall make every effort to place the inmate in such a facility. If a reason exists for not placing the inmate in that facility, the court is notified of the situation and an attempt will be made to arrive at an acceptable place of confinement.

Complicated jurisdictional or legal problems must be resolved before transfer. Staff at the sending institution, ordinarily the Inmate Systems Manager, shall determine if an inmate has legal action pending in the district in which confined. If so, the individual should not be transferred without prior consultation with the appropriate U.S. Attorney or Regional Counsel, or both. Under Rule 23(a) of the Federal Rules of Appellate Procedures, an inmate may not be transferred, pending review of a Habeas Corpus proceeding commenced before a court, without the approval of the court. Approval for transfer should be sought through the U.S. Attorney or Regional Counsel in cases where a Habeas Corpus petition is pending.

c. **Non-Federal Authorities.** The decision to accept a state prisoner in the Bureau is the responsibility of the Regional Director in the Region where the request originates. For example, if the California Department of Corrections requests to place an inmate in Federal custody, the Western Regional Office reviews and responds to the placement request. When notifying the state authority of acceptance, the state's contract code will be identified.

The Office of Procurement, Central Office is responsible for negotiating contracts for housing state prisoners. If it is necessary to transfer a federal inmate to a local jail, the sending institution must immediately notify the U.S. Marshals and the CCM, preferably prior to the transfer.

d. **Military Inmates.** The Bureau will accept a Military or Coast Guard inmate recommended for transfer to federal custody if, after examination of all available information, the Bureau

can provide appropriate resources for the inmate's needs. Military transfer requests are coordinated through the Correctional Programs Administrator, North Central Regional Office. In some cases, special agreements or Memoranda of Understanding (MOU) have been established with various military branches. These MOUs give direction to Bureau staff regarding which Bureau regulations and policies apply to the military inmates.

Pursuant to 10 U.S.C. § 858, staff should be aware that Military or Coast Guard inmates confined in Bureau institutions are subject to the same discipline and treatment as other inmates in those institutions.

Additionally, the Bureau will accept the sentence computation provided by the military or Coast Guard authorities with the exception that the Bureau shall release such inmates, if not paroled, under the provisions of 18 U.S.C. § 4164 provided they have accrued good time deductions in excess of 180 days. Staff shall refer to the appropriate military or Coast Guard authorities for resolution of suspected sentence computation errors or discrepancies, or challenges to the sentence computation by the inmate or his or her representative, or both.

Once a military inmate comes into Bureau custody, all notifications and requirements apply as if he or she were a Bureau inmate, i.e., VWP notification, VCCLEA notification, Sex Offender Notification, and IFRP requirements. Notification to the Military is also required at least 30 days prior to the inmate's release.

**9. STATE PLACEMENT.** When Regional staff have exhausted available resources within the Bureau, attempts may be made to redesignate to an appropriate non-federal facility under contract with the Bureau. Preparation of a transfer referral to "exhaust" all available resources is not required when the inmate is clearly not appropriate for a particular facility.

Each Regional Office is responsible for state placements within its own region. If Regional staff are unable to find an appropriate facility within its own region, they will attempt placement in another region.

**Note:** Religious beliefs will be considered when designating a non-federal facility for a federal inmate. Ordinarily, a facility that systematically restricts the free exercise of religion will not be designated for that inmate.

a. **Placement Procedures.** The Warden shall prepare a memorandum to the Regional Director outlining the reasons for recommending state placement. This memorandum requesting authorization for state placement will be forwarded along with supporting documentation and classification material to the Regional Director. The referring institution shall, at a minimum, include the following classification material:

- (1) Presentence Investigation Report;
- (2) Two copies of the Judgment;
- (3) Relevant SENTRY data;
- (4) Current Progress Report; and,
- (5) Any Disciplinary or SIS Reports.

If the Regional Director approves an inmate for state placement, Regional Office staff, as identified by the Regional Director, shall select a state correctional system for referral. The system selected will be based on the types of facilities within the system, their available bed space, their court status (state systems that are under injunction because of overcrowding or violations of inmates' civil rights shall not be used), and their willingness to accept federal boarders. Once a suitable state correctional system has been identified, Regional Office staff shall forward the transfer packet to the appropriate CCM, who, in turn, makes the actual referral to the state correctional system.

Regional staff should make only one referral at a time, and the CCM shall request a response from the state within 30 calendar days. Regional Correctional Programs staff will continue this referral process until appropriate placement is secured or resources are exhausted. If necessary, referrals may be made to CCMs in other regions.

The region in which the inmate is housed assumes full responsibility for the inmate, including biennial reviews and subsequent transfer authority. A state placement file containing, at a minimum, a Progress Report, PSI, and all memoranda pertaining to the state placement, will be maintained by the Regional Office, Correctional Programs Administrator.

If an inmate is approved for permanent return to the Bureau, the place of confinement will be determined by the responsible Regional Office where the inmate is housed. If an inmate is returned to the Bureau for medical treatment, the inmate will be

returned to the state when the medical treatment is completed. Occasionally, returning the inmate to the originating state may not be appropriate, the responsible Regional Office shall obtain a new place of incarceration for the inmate, after consultation with the Office of Medical Designation and Transportation.

If all referrals to appropriate state agencies have been unsuccessful, the Regional Director may refer the case to the Assistant Director, Correctional Programs Division, Central Office. The referral cover memo will thoroughly describe the pertinent aspects of the case and will detail the states to which the case has already been referred and rejected. Relevant classification material will be provided, including an up-to-date progress report.

The Correctional Programs Administrator, Central Office will review the case and attempt to secure suitable placement.

b. **Post-Placement Monitoring.** After a federal inmate has been placed in a state contract facility, the appropriate CCM shall review the case every two years beginning from the date the state placement is completed, to determine whether the inmate is still appropriate for state placement. The CCM's cover memorandum containing a recommendation and a progress report provided by the state contract facility shall be forwarded to Regional Correctional Programs staff. Correctional Programs staff, in conjunction with Correctional Services, shall make a determination for continued state placement or return to Bureau custody.

If the inmate requires continued placement in that state facility, a notation shall be made on the SENTRY "CIM Clearance and Separatee Data" screen indicating such. However, if state placement is no longer necessary, the inmate shall be redesignated to Bureau custody by the Regional Designator.

Inmates serving a sentence of Death will also be reviewed for continued state placement. Information received from Community Corrections staff during the review of the contract may be used to make a determination for continued state placement.

Each region is responsible for monitoring and tracking state placement requests received from their institutions. A quarterly report is to be prepared and forwarded to the Administrator, Correctional Programs Branch. The quarterly report should include at a minimum, the number of inmates referred, denied, and approved for state placement. The report should also include the number of inmates that are pending a decision.



10. **SECONDARY DESIGNATION.** Upon initial designation, an inmate may be designated for a parole hearing or program participation, and as a result, require secondary designation upon completion of the activity. If upon completion of the activity, staff determine that the secondary designation is no longer appropriate, the Regional Designator shall be notified for reconsideration. Otherwise, when the conditions of the initial designation are met, institution staff will prepare a Transfer Order for signature of the Warden or Superintendent of the sending institution and arrangements will be made for movement of the inmate through routine procedures.

Direct court commitments to the Mothers and Infants Together (**MINT**) program require a secondary designation to a Bureau facility. This is to identify the institution responsible for the inmate's medical expenses while confined in the MINT program.

A secondary designation will not normally be made for cases designated for medical or psychiatric treatment. The medical center or reviewing institution will notify the Medical Designator upon completion of evaluation or treatment. Approval will be given for a secondary designation at that time. This approval will be based on medical requirements of the inmate and resources of the secondary designation. Additionally, no secondary designations are to be made to Intensive Confinement Center programs.

TRANSFER CODES	
CODE	DESCRIPTION
276	<b>FURLOUGH TRANSFER:</b> Unescorted furlough transfer to a CCC.
307	<b>INSTITUTION CLASSIFICATION:</b> Transfer to an institution with greater security (e.g., Low to Medium).
308	<b>INSTITUTION CLASSIFICATION:</b> Transfer to an institution with less security (e.g., High to Medium).
309	<b>DISCIPLINARY:</b> Transfer as a result of an act(s) of misconduct related to documented poor institutional adjustment. See Program Statement on Discipline and Special Housing Unit.
313	<b>NEARER RELEASE:</b> Transfer for the purpose of placing an inmate in an institution nearer the release destination or to facilitate the release process.
314	<b>TRAINING PURPOSE:</b> Discontinued (see code 324).
315	<b>TRAINING COMPLETED:</b> Discontinued (see code 325).
316	<b>TEMPORARY TRANSFER:</b> Transfer to the custody of U.S. Marshals or local authority.
317	<b>RELIEVE OVERCROWDING:</b> Transfer to relieve overcrowding at a facility.
318	<b>INCREASE POPULATION:</b> Transfer to build a population, usually upon activation of a new facility.
319 *	<b>DRUG ABUSE PROGRAM:</b> Transfer to participate in a specialized Drug Abuse Program.
320 *	<b>WORK/STUDY RELEASE:</b> Discontinued.
321	<b>TRANSFER TO CONTROL UNIT:</b> Transfer to Control Unit (see Chapter 9, section 3).
322	<b>TRANSFER FROM CONTROL UNIT:</b> Transfer from Control Unit (See Chapter 9, section 3).
323	<b>CLOSE SUPERVISION CASE:</b> Transfer as a result of an investigation that indicates a safety, security, or escape risk. Includes verified and unverified protection cases.
324	<b>PROGRAM PARTICIPATION:</b> Transfer for a parole hearing or to participate in a specialized program.
325	<b>PROGRAM COMPLETED/WITHDRAWAL/REMOVAL:</b> Return to the original institution following completion/withdrawal/removal from a specialized program.

TRANSFER CODES	
CODE	DESCRIPTION
326	<b>CONCURRENT SERVICE IN NON-FEDERAL FACILITY:</b> Transfer to non-federal facility (excluding CCC) for service of concurrent federal and state sentences.
327	<b>BOARDING IN NON-FEDERAL FACILITY:</b> Transfer to non-federal facility (excluding CCC) for service of federal sentences only.
328	<b>RETURN FROM NON-FEDERAL FACILITY:</b> Return from non-federal facility to federal institution for service of federal sentence only.
330	<b>ADJUSTMENT PURPOSES:</b> Transfer for the purpose of placing the inmate in a new setting due to poor institutional adjustment or CIM concerns. This code differs from a 323 Close Supervision Transfer in that an SIS investigation is not normally conducted.
331	<b>TRANSFER FOR MEDICAL TREATMENT:</b> Transfer for the purpose of obtaining medical/physical treatment, either to a medical facility or to the local hospital.
332	<b>MEDICAL TREATMENT COMPLETED:</b> Return from medical facility or local hospital to parent institution.
333	<b>TRANSFER FOR PSYCHOLOGICAL/PSYCHIATRIC EVALUATION:</b> This pertains to transfers between BOP medical facilities for evaluation purposes only. (For example, a chronic care inmate in a medical center GP may require transfer to another BOP medical facility for evaluation purposes regarding a medical emergency) (SPG to BUT).
334	<b>PSYCHOLOGICAL/PSYCHIATRIC EVALUATION COMPLETED:</b> This code is to be used when inmates are ready for discharge from inpatient psychiatric evaluation. (For example, when a medical condition is controlled and the inmate is returned to a general population unit/institution).
335	<b>TRANSFER FOR HOSPITALIZATION AND TREATMENT:</b> This pertains to transfers between BOP medical facilities for treatment. (For example, a chronic care inmate in a medical center GP may require transfer to another BOP medical facility if the inmate experiences a medical emergency.) (SPG to BUT).
336	<b>HOSPITALIZATION AND TREATMENT COMPLETED:</b> Discontinued (see code 332).
337	<b>OTHER:</b> This category may be used only when no other transfer code above applies.
369 *	<b>FACILITY REORGANIZATION:</b> Transfer based on a mission change of the institution.

SENTENCE PROCEDURES

Offenders Sentenced Under Provisions in Effect Prior  
to November 1, 1987

"Old law" offenders are those offenders whose offenses occurred prior to November 1, 1987, and who are sentenced under previous sentencing legislation. These inmates are eligible for parole consideration.

Offenders Sentenced Under SRA

The Sentencing Reform Act (SRA) of 1984, applies to offenses that occurred on or after November 1, 1987 but prior to September 13, 1994.

Offenders Sentenced under VCCLEA

The Violent Crime Control and Law Enforcement Act (VCCLEA) of 1994, applies to offenses that occurred on or after September 13, 1994 but prior to April 26, 1996.

Offenders Sentenced Under PLRA

The Prison Litigation Reform Act (PLRA), applies to offenses that occurred on or after April 26, 1996. A PLRA sentence may only be aggregated with another PLRA sentence for sentence computation purposes.

Offenders whose offense was on or after November 1, 1987, will be expected to serve approximately 85% of the sentence length (rounded to the nearest whole number). Consecutive **federal** sentences may or may not be added together to make the computation. Federal sentences may have different beginning dates, based on the Judgment(s). There may even be a computation in SENTRY with a beginning date in the future. However, for record keeping and research purposes, enter the actual number of months to the most distant release date in the appropriate location of the form.

OFFENSE SEVERITY SCALE

GREATEST SEVERITY

**Aircraft Piracy** - placing plane or passengers in danger  
**Arson** - substantial risk of death or bodily injury  
**Assault** - serious bodily injury intended or permanent or life threatening bodily injury resulting)  
**Car Jacking** - any  
**Drug Offense** - see criteria below\*  
**Escape** - closed institution, secure custody, force or weapons used  
**Espionage** - treason, sabotage, or related offenses  
**Explosives** - risk of death or bodily injury  
**Extortion** - weapon or threat of violence  
**Homicide or Voluntary Manslaughter** - any  
**Kidnaping** - abduction, unlawful restraint, demanding or receiving ransom money  
**Robbery** - any  
**Sexual offenses** - rape, sodomy, incest, carnal knowledge, transportation with coercion or force for commercial purposes  
**Toxic Substances/Chemicals:** - weapon to endanger human life  
**Weapons** - distribution of automatic weapons, exporting sophisticated weaponry, brandishing or threatening use of a weapon

\* Any **drug offender** whose current offense includes the following criteria shall be scored in the Greatest severity category:

The offender was part of an organizational network and he or she organized or maintained ownership interest/profits from **large-scale** drug activity,

\*\*\*AND\*\*\*

the drug amount equals or exceeds the amount below:

**Cocaine** - greater than or equal to 10,000 gm, 10 K, or 22 lb  
**Cocaine Base "Crack"** - greater than or equal to 31 gm  
**Hashish** - greater than or equal to 250,000 gm, 250 K, or 551 lb  
**Marijuana** - greater than or equal to 620,000 gm, 620 K, or 1,367 lb  
**PCP** - greater than or equal to 100,000 mg, 100 gm, or 20,000 dosage units  
**Heroin or Opiates** - greater than or equal to 2,000 gm, 2 K, or 4.4 lb  
**Methamphetamine** - greater than or equal to 16,000 gm, 17 K, or 35 lbs  
**Other illicit drugs:** - Amphetamine, Barbiturates, LSD, etc. greater than or equal to 250,000 dosage units

HIGH SEVERITY

**Arson** - other

**Cruelty to Children** - any

**Drugs (For Females only)**

**Cocaine** - greater than or equal to 10,000 gm, 10 K,  
Or 22 lb

**Cocaine Base "Crack"** - greater than or equal to 31 gm

**Hashish** - greater than or equal to 250,000 gm, 250 K,  
Or 551 lb

**Marijuana** - greater than or equal to 620,000 gm, 620 K,  
Or 1,367 lb

**PCP** - greater than or equal to 100,000 mg, 100 gm, or  
20,000 dosage units

**Heroin or Opiates** - greater than or equal to 2,000 gm,  
2 K, or 4.4 lb

**Methamphetamine** - greater than or equal to 16,000 gm,  
17 K, or 35 lb

**Other illicit drugs** - Amphetamine, Barbiturates, LSD  
etc. - greater than or equal to 250,000 dosage units

**Explosives** - other

**Extortion** - other

**Involuntary manslaughter** - includes vehicular homicide

**Residential Burglary** - with evidence that occupants were in  
dwelling during the commission of the offense

**Rioting** - any

**Sexual Offenses** - sexual exploitation of children, unlawful  
sexual conduct with a minor, pornography

**Stalking** - any

**Threatening Communications** - with conduct evidencing intent to  
carry out such threat

**Toxic Substances/Chemicals** - other

MODERATE SEVERITY
<p><b>Assault</b> - other</p> <p><b>Auto Theft</b> - any</p> <p><b>Breaking and Entering</b> - any</p> <p><b>Burglary</b> - other</p> <p><b>Child Abandonment</b> - any</p> <p><b>Contempt of Court</b> - criminal contempt</p> <p><b>Drugs Cocaine</b> - greater than or equal to 400 gm, .4 K, or .88 lb</p> <p><b>Cocaine Base "Crack"</b> - greater than or equal to 1 gm</p> <p><b>Hashish</b> - greater than or equal to 11,000 gm, 11 K, or 24 lb</p> <p><b>Marijuana</b> - greater than or equal to 25,000 gm, 25 K, or 55 lb</p> <p><b>PCP</b> - greater than or equal to 4,000 mg, 4 gm, or .14 oz</p> <p><b>Heroin or Opiates</b> - greater than or equal to 80 gm, .08 K, or .18 lb</p> <p><b>Methamphetamine</b> - greater than or equal to 667 gm, .67 K, or 1.47 lb</p> <p><b>Other illicit drugs</b> - Amphetamine, Barbiturates, LSD, etc. greater than or equal to 10,000 dosage units, .05 K, or .11 lb</p> <p><b>Escape</b> - walkaway from open institution, failure to appear/bail reform act, no threat of violence involved</p> <p><b>Immigration Offenses</b> - transportation of unlawful aliens</p> <p><b>Obstruction of Justice</b> - any</p> <p><b>Property Offenses</b> - over \$250,000, includes theft, fraud, tax evasion, forgery, currency offenses</p> <p><b>Sexual Offenses</b> - other</p> <p><b>Weapons</b> - other</p>

MEASUREMENT CONVERSION TABLE	
1 oz = 28.35 gm	1 gm = 1 ml (liquid)
1 lb = 453.6 gm	1 liter = 1,000 ml
1 lb = 0.4536 kg	1 kg = 1,000 gm
1 gal = 3.785 liters	1 gm = 1,000 mg
1 qt = 0.946 liters	1 grain = 64.8 mg

LOW-MODERATE
<p><b>Bigamy</b> - Polygamy</p> <p><b>Drugs Cocaine</b> - less than 400 gm, .4 K, or .88 lb</p> <p><b>Cocaine Base "Crack"</b> - less than 1 gm</p> <p><b>Hashish</b> - less than 11,000 gm, 11 K, or 24 lb</p> <p><b>Marijuana</b> - less than 25,000 gm, 25 K, or 55 lb</p> <p><b>PCP</b> - less than 4,000 mg, 4 gm, or .14 oz</p> <p><b>Heroin or Opiates</b> - less than 80 gm, .08 K, or .18 lb</p> <p><b>Methamphetamine</b> - less than 667 gm, .67 K, or 1.47 lb</p> <p><b>Other illicit drugs</b> - Amphetamine, Barbiturates, LSD, etc., less than 10,000 dosage units, .05 K, or .11 lb</p> <p><b>Indecent Exposure</b> - indecent acts, lewd behavior</p> <p><b>Immigration Offenses</b> - other</p> <p><b>Post-release Supervision Violation</b> - technical, administrative</p> <p><b>Property Offenses</b> - valued between \$2,000 and \$250,000)</p>

LOWEST SEVERITY
<p><b>Drugs</b> - personal use</p> <p><b>Gambling Law Violation</b> - any</p> <p><b>Liquor Law Violation</b> - any</p> <p><b>Property Offenses</b> - less than \$2,000</p> <p><b>Suspicion</b> - any</p> <p><b>Traffic Laws</b> - any</p> <p><b>Vagrancy</b> - any</p> <p><b>Vandalism</b> - any</p>

MARIJUANA EQUIVALENT CHART	
DRUG	MARIJUANA EQUIVALENT
1 gm of Heroin	1000 gm
1 gm of Cocaine Powder	200 gm
1 gm of Methamphetamine	2000 gm
1 gm of LSD	100,000 gm
1 gm of "crack" cocaine	20,000 gm
1 gm of Hashish Oil	50 gm
For other drug equivalents, please refer to the U.S. Sentencing Commission Guidelines Manual.	



### **SPECIAL INSTRUCTIONS**

In the case of an offense involving marijuana plants, one plant equals 100 grams (or the actual weight of the useable marijuana, whichever is greater).

If the offense includes several types of drugs, compute the marijuana equivalent and total the sum to arrive at a grand total. For example, if the inmate has marijuana, cocaine, and heroin, compute the cocaine and heroin to an equivalent amount of marijuana and hold the inmate accountable for the sum total of the equivalent amount of marijuana.

Offenses not listed shall be assigned a severity category according to the most comparable listed offense.

Score any attempt, aiding and abetting, conspiracy, misprision of a felony, and accessory after the fact in the same severity category as the underlying offense. Total offense behavior is to be considered, utilizing the most serious offense or act committed. However, in drug conspiracy cases, the individual will be held accountable as documented by the Judge in the Statement of Reason. If the Statement of Reason is not attached, the Case Manager will review the PSI to determine the individual's specific reported behavior, and not hold the individual accountable for the entire drug conspiracy empire.

If committed as a parole, mandatory release, special parole term, or supervised release violator as a result of a new conviction, use that new offense behavior for scoring "Severity of Current Offense."

If committed as a **probation** violator, use the most severe documented behavior between the original offense that prompted probation and the new criminal conduct (violation behavior) for scoring "Severity of Current Offense."

<b>INSTITUTION MISSIONS</b>
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A list of all Bureau of Prisons (BOP) facilities by security level and Region is contained and updated at least quarterly on the Bureau of Prisons-Documents Control System (BOPDOCS). Staff should review and/or replace this list on a quarterly basis to ensure that appropriate Case Management decisions are made and that information disseminated to the courts, law enforcement agencies and the general public is accurate. To access this document on BOPDOCS, staff should access a menu-assisted search for file name, "MISSIONS.INS."

WAIVER FOR MISDEMEANANTS

I, \_\_\_\_\_, \_\_\_\_\_  
(Name of Inmate) (Register Number)

have been convicted under \_\_\_\_\_  
(Offense Code and Title)

\_\_\_\_\_

and committed to the custody of the Attorney General or the Bureau of Prisons for service of a misdemeanor sentence, do hereby waive my right as a misdemeanor offender to serve my sentence in a facility other than a high security level institution. I understand my conviction could entitle me to be placed in a Minimum, Low, or Medium level institution, as deemed appropriate by the Bureau of Prisons; however, I voluntarily waive my right to such placement. I further understand that this waiver does not prevent the Federal Bureau of Prisons from transferring me to a Minimum, Low, or Medium security level institution in the future, if appropriate.

\_\_\_\_\_  
Inmate's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

<b>STANDARD ABBREVIATIONS/TERMS (BP-337)</b>
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ADW	Assault with a Deadly Weapon
ALC	Alcohol
ATT	Attempt
BRA*	Bail Reform Act
CC	Concurrent
CC FRD	Credit Card Fraud
COC	Cocaine
CONSP	Conspiracy
CRK	Crack
CS	Consecutive
D/DS	Day/days
DETN	Detainer
DRG	Drug
DUI	Driving under the influence
DWI	Driving while influenced
DWOL	Driving without a License
DWP/DWIP	Dismissed without/with Prejudice
ESS**	Execution of Sentence Suspended
F/A	Firearm
FTA*	Failure to Appear
GD	Good
GTA	Grand Theft Auto
H/G	Handgun
HX	History
IR	Incident Report
ISS**	Imposition of Sentence Suspended
ITSMV	Interstate Transportation of Stolen Motor Vehicle
JTC	Jail Time Credit
LOC	Lack of Cooperation
LOP	Loss of Privileges
M/MOS	Month/months
MH	Mental health
MJ	Marijuana
PBJ	Probation Before Judgment
PC	Pending Charge
PED	Parole Eligibility Date
PLIO	Pled to Lesser Instant Offense
PROB	Probation
PSY	Psychological/Psychiatric
PWITD	Possession with Intent to Distribute
PV	Parole Violation
SRV	Supervised Release Violation
TRD	Tentative Release Date
UUV	Unauthorized Use of a Vehicle
VOP	Violation of Probation
WPN	Weapon
Y/YRS	Year/years

\*BRA/FTA/Prison Breach constitute escape

\*\*ISS/ESS - If part of the sentence was imposed score as prior. If the entire sentence was suspended, do not count as prior, HOWEVER, if the offense involved escape or violence, score under appropriate history item.

**PAROLABLE INSTITUTIONS**

A list of all parolable Bureau of Prisons (BOP) institutions is contained and updated at least quarterly on the Bureau of Prisons-Documents Control System (BOPDOCS). Due to institution activations and/or mission changes, this list frequently changes. Staff should review and/or replace this list quarterly to ensure that appropriate Case Management decisions are made and that information disseminated to the courts, law enforcement agencies and the general public is accurate. To access this document on BOPDOCS, staff should access a menu-assisted search for file name "PAROLABL.INS."

**PAROLABLE INSTITUTIONS**

Certain Bureau of Prisons institutions do not conduct U.S. Parole Commission hearings for inmates assigned to that institution. This Appendix lists those institutions at which parole hearings are conducted. Due to institution activations and/or mission changes, this list is frequently subject to change. Accordingly, it will be updated at least quarterly on the Bureau of Prisons-Documents Control System (BOPDOCS). Staff should review and/or replace this Appendix quarterly to ensure that appropriate Case Management decisions are made and that information disseminated to the courts, law enforcement agencies and the general public is accurate. On occasion, a parolable inmate may be placed at a non-parolable institution with the approval of the Warden and Regional Office.

Parole hearings will be conducted at the institutions listed below:

<u>Mid-Atlantic</u>	<u>North Central</u>	<u>Northeast</u>
Alderson FCI Beckley FCI Butner Complex Cumberland FCI Elkton FCI Lexington FMC Memphis FCI Milan FCI Morgantown FCI Petersburg FCI Terre Haute USP	Chicago MCC * Florence Complex Leavenworth USP Marion USP Oxford FCI Pekin FCI Rochester FMC Sandstone FCI Springfield USMCFP	Allenwood Complex Brooklyn MDC * Danbury FCI Devens FCI Fairton FCI Fort Dix FCI Lewisburg USP New York MCC * Philadelphia FDC *
<u>South Central</u>	<u>Southeast</u>	<u>Western</u>
Beaumont Complex Carswell FMC El Reno FCI Ft. Worth FCI Houston MDC * La Tuna FCI ** Oklahoma City FTC ***	Atlanta USP Coleman Complex Edgefield FCI Marianna FCI Miami FCI Miami FDC * Tallahassee FCI	Dublin FCI ** Lompoc Complex Los Angeles MDC * Phoenix FCI San Diego MDC * Sea-Tac MDC * Sheridan FCI Terminal Island FCI Victorville FCI

\* These facilities will continue to conduct local parole revocation hearings. Normally, these hearings are conducted at MCCs, MDCs, and FDCs.

\*\* These facilities also hold parole hearings for treaty transfer cases on a case-by-case basis.

\*\*\* This facility is used primarily for Parole and Mandatory Release Violator hearings.

PS 5100.07  
9/3/99  
Attachment A

Form EMS-409.051, **REQUEST FOR TRANSFER/APPLICATION OF MANAGEMENT  
VARIABLE** is available on BOPDOCS